MTA Negotiation Meeting

~~3/22/2006~~

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MARYLAND AVIATION ADMINISTRATION
COMPLIANCE FOCUSED ENVIRONMENTAL MANAGEMENT SYSTEM

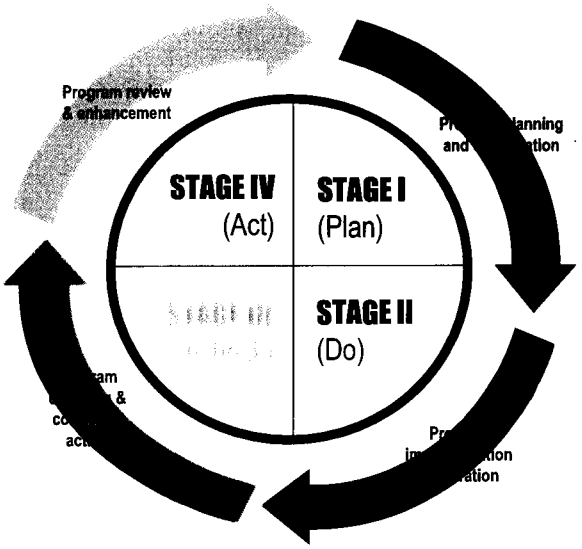
INTRODUCTION

This document summarizes the mission, organizational structure, current status, and future goals of the Maryland Aviation Administration (MAA) Environmental Compliance Program and will outline the steps to be taken in order to transform the existing program into a fully functional Compliance Focused Environmental Management System (CFEMS).

MAA's mission is to foster the vitality of aviation statewide and promote safe and efficient operations, economic viability, and environmental stewardship. In support of this mission, MAA will develop an Environmental Compliance Program using a structured process paralleling the standard Plan, Do, Check, Act Model:

- STAGE 1 – (PLAN)
- STAGE 2 – (DO)
- STAGE 3 – (CHECK)
- STAGE 4 – (ACT)

MAA will develop and implement a program that includes the elements of a fully functional compliance program. The existing program elements and strategic enhancement actions currently in process are highlighted in the following sections.



STAGE 1 – PLAN
- Review/Revise Environmental Policy
- Evaluate Existing Program Elements
- Conduct Gap Analysis
- Address Organizational and Communication Lines
- Define CFEMS Performance Measures

STAGE 2 – DO
- Enhance Environmental Compliance Book
- Development of Program Structure/CFEMS Manual
- Enhance CFEMS Data Management System
- Update/Enhance Environmental SOPs
- Develop Facility Specific Compliance Manuals
- Enhance and Conduct Training Program
- Develop Self-Audit Program/Program Manual

STAGE 3 – CHECK
- Conduct Self-Audit
- Corrective Actions/Remediation of Issues
- Identify/Document Opportunities for Enhancements

STAGE 4 – ACT
- Conduct Senior Management Review of CFEMS
- Develop and Implement CFEMS Enhancements
- Expand CFEMS to Other Operational Areas

CURRENT PROGRAM ELEMENTS

Program Organization

The current environmental compliance program for MAA is managed by the Division of Environmental Compliance which reports directly to the Director of Planning and Environmental Services. In addition to Environmental Compliance, other Divisions in the Department include Airport Facilities Planning; Terminal Planning and Intermodal Development; and Environmental Planning.

The Division of Environmental Compliance is managed by Ms. Joanne Brooks. Ms. Brooks is supported by Mark Williams, Environmental Analyst. The Division manages environmental compliance at both Baltimore Washington International Thurgood Marshall Airport (BWI) and Martin State Airport (MTN). The Division of Environmental Compliance is currently supported by three consultants: EA Engineering, Science, and Technology Inc. (Hunt Valley, MD) provides principal environmental compliance support; Limno-Tech Inc. (Ann Arbor, MI) provides deicing and related water quality support; and the Maryland Environmental Service (Millersville, MD) provides field operations/inspection support.

Program Tools

The MAA Division of Environmental Compliance has developed and implemented a number of program tools to assist in the management of the compliance program. These tools were developed to facilitate communication of environmental requirements, streamline data collection and reporting, and monitor the status of compliance activities across various program areas. In order to transform the existing program into a fully compliant and functional CFEMS, additional tools will need to be developed and implemented. Additionally the existing tools will be enhanced to further develop program.

MAA's current compliance program tools include the following:

Environmental Compliance Book (ECB)—The operations of BWI and MTN Airports are subject to a number of federal and State of Maryland environmental regulations covering various environmental media. This document assembles the regulatory information into a single document, organized by environmental media. It identifies the applicable compliance requirements and describes management and operational procedures in place for compliance. The information in the ECB is currently organized into the following sections:

- Asbestos-Containing Material/AHERA, NESHAP, OSHA
- Community Right-to-Know and Emergency Planning/EPCRA, OSHA.
- Hazardous Wastes/RCRA
- Lead-Based Paint/OSHA
- PCBs and Other Toxic Substances/TSCA
- Pollution Prevention
- Spill Prevention and Aboveground Storage Tanks/CWA, OPA
- Storm Water Discharges/CWA
- Underground Storage Tanks/CWA, OPA
- Wastewater Discharges/CWA

Standard Operating Procedures (SOP) for Hazardous and Non-Hazardous Materials and Waste Management—The MAA Division of Environmental Compliance has developed a number of SOPs to inform, remind, and document the proper procedures for handling and managing hazardous and non-hazardous materials and waste. Currently, seventeen (17) separate SOPs have been developed covering areas ranging from accumulation, storage, and labeling of hazardous waste to inspection of accumulation areas and reporting and recordkeeping requirements as well as specific procedures regarding drum management, paint waste management, used oil, and aboveground storage tanks. These SOPs are intended to serve as a reference for operational and management personnel. The documents are not intended to be static in nature but to be active resources for documenting and communicating the proper procedures. As new requirements or processes are identified, additional SOPs will be added as well as updates to existing procedures as needed to continually enhance the program.

Environmental Compliance Intranet Site—The intranet site incorporates a summary of environmental regulations contained in the ECB and has links to health and safety data (Material Safety Data Sheets) and standard operating procedures for MAA employees. It is a reference site for MAA maintenance, fire and rescue, engineering and operations personnel to assist them in understanding their responsibilities for environmental compliance.

Environmental Plans—The MAA Division of Environmental Compliance has developed a number of environmental plans to support various program elements and in response to specific environmental regulations. These plans include specific procedures for ongoing environmental management and response activities. Currently, the following plans have been developed and are in use at BWI and Martin State Airports:

- Integrated Contingency Plans—address the prevention of and the response to releases of oil and hazardous substances from MAA operations including appropriate response actions in the event of releases to the environment.
- Stormwater Pollution Prevention Plans—addresses potential pollution sources of stormwater and the best management practices to prevent pollution to receiving water bodies. The plans also address the requirements set forth in the NPDES permit for each of the facility drainage areas.
- Stormwater Management Plans—addresses the water resources and stormwater management facilities at each airport including procedures for effective management and mitigation of stormwater issues.

Inspection and Maintenance Programs—A number of on-going inspection programs have been implemented to support program goals and data collection requirements in compliance with specific regulations. Current programs include the following:

- Hazardous Waste Inspections—weekly inspections of hazardous waste storage areas and ongoing communication, training, and on-site environmental support of maintenance personnel.
- Oil/Water Separator Inspections & Maintenance—monthly inspections and maintenance of oil/water separators
- Stormwater Outfall Inspections & Maintenance—inspections of stormwater management facilities on a rotating 3-year schedule
- AHERA-type Inspections—Initial inspections and periodic re-inspections of facilities in support of AHERA-type asbestos management planning.
- On-Call Industrial Hygiene Inspections—on-call industrial hygiene (asbestos, lead-based-paint, mold, etc) inspections in support of construction/demolition/renovation activities.

Training Programs—Several personnel training programs have been implemented to ensure effective communication of environmental requirements and management procedures implemented by MAA. Currently, the following training programs have been implemented:

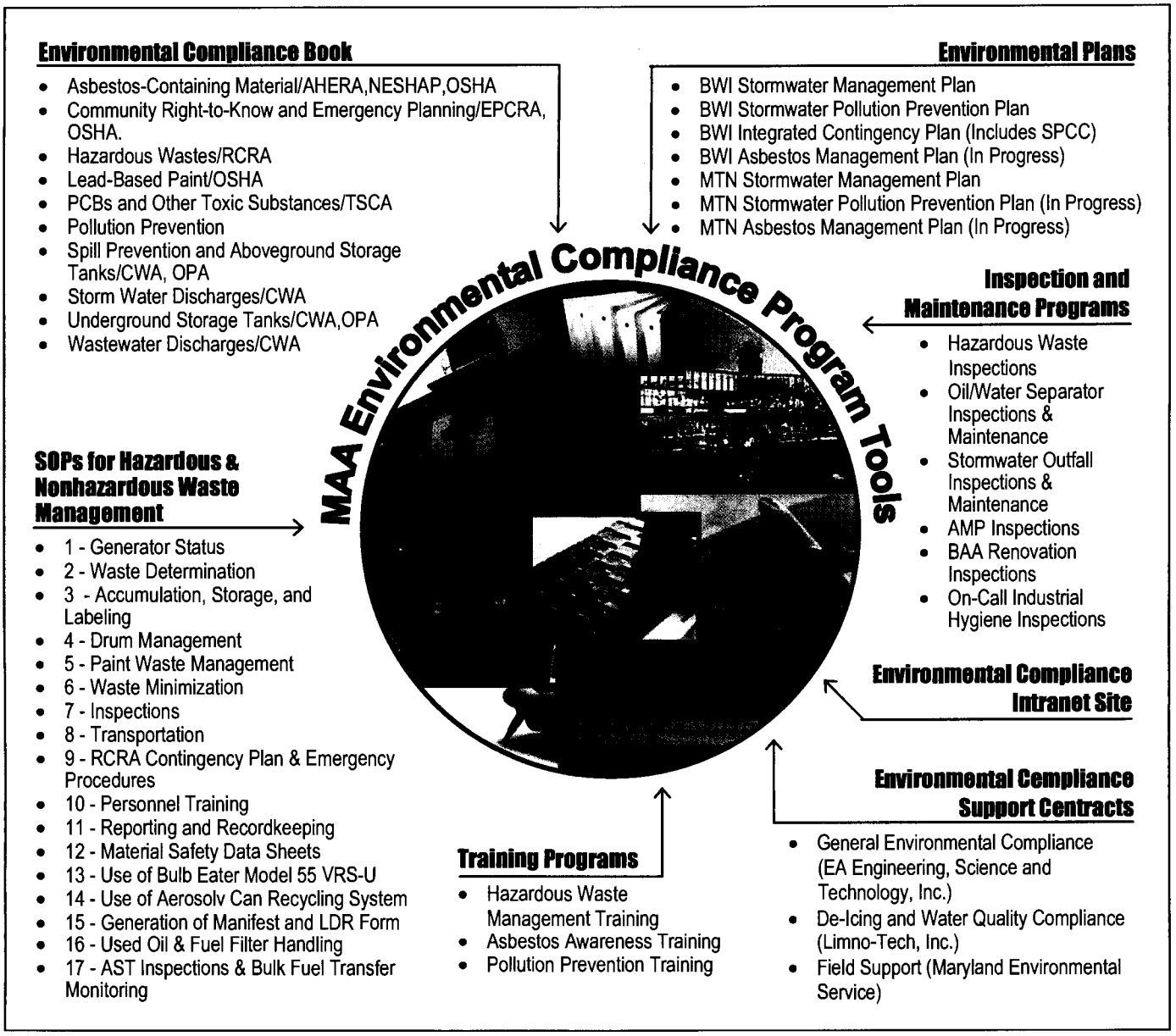
- Hazardous Waste Management Training—initial and annual refresher training for maintenance personnel regarding the proper handling, storage, use, and disposal of hazardous material.
- Stormwater Pollution Prevention Training---initial and annual refresher training for maintenance personnel regarding stormwater drainage systems, best management practices, and spill control.
- Asbestos Awareness Training—initial and annual refresher training for maintenance and fire protection personnel regarding asbestos containing material, health effects, and regulatory requirements.

Program Management Website—The MAA Division of Environmental Compliance has developed and implemented a compliance program management website to integrate the program tools and serve as the central management utility for the overall compliance program. The password-protected system contains a number of functions to facilitate data management and reporting, document management, communications, and management of various program elements all accessible via a standard web browser and internet connection.

Environmental Compliance Support Contracts—The MAA Division of Environmental Compliance has established several contracts with outside consultants to provide a number of ongoing compliance activities in support of the overall program. Current MAA environmental compliance contractors include the following:

- EA Engineering, Science and Technology, Inc.—provides comprehensive environmental compliance program management and operational support across all media-specific service areas including hazardous waste, stormwater, wastewater, asbestos, lead-based-paint, mold, EPCRA reporting, AST/UST, air, and pollution prevention.
- Limno-Tech, Inc.—provides specialized environmental compliance support in the areas of de-icing fluid management and water quality compliance including regulatory updates and project-specific support.
- Maryland Environmental Service—provides ongoing field inspection and maintenance support regarding oil/water separators and stormwater management facilities.

FIGURE 1. MAA Environmental Compliance Program Tools



PROGRAM ENHANCEMENT ACTIVITIES

All of the existing programs described above will be enhanced and developed to support the creation of a fully functional CFEMS. As part of the four stage process, the current program elements will be reviewed and refined as necessary.

The past year has included a number of significant construction and capital improvement efforts at BWI Thurgood Marshall Airport as part of a $1.8 billion expansion project that has required specific enhancements to MAA's Environmental Compliance Program. Much of the focus over the past year has centered on expanding industrial hygiene compliance activities in support of large construction/renovation projects such as new terminal for Southwest Airlines and renovations to support BAA Maryland's development and construction of BWI's new Airmall, which has brought national and local retailers and restaurants inside the terminal and concourse. The enhancements initiated in support of these activities include the following:

- **Asbestos Management Plan (AMP) Development**—inspection of interior spaces and exterior of all state-owned buildings in accordance with the AHERA and Asbestos Oversight Commission guidelines, development of management provisions, and compilation of requirements and inspection data into the "State-owned Building AMP" format as developed by the Asbestos Oversight Commission.

- **Asbestos Data Management System Development**—expansion of the internet mapping and custom reporting applications of the program management website to facilitate management, use, and reporting of asbestos information. Users have the ability to view facility floorplans in a standard web browser, zoom to any level, and access asbestos information by visually selecting areas or rooms on the floorplans as well as by querying the database for specific results.

- **BAA Renovation Support**—inspection of accessible interior and exterior (as facing public access-ways) spaces of the BAA Maryland renovation locations; intrusive asbestos surveys of areas that are visually inaccessible and that are likely to contain asbestos containing material; lead-based paint inspections; mercury-containing light source inspections; PCB ballast inspections; and preparation of pre-renovation hazardous materials survey reports.

- **On-Call Industrial Hygiene Support**—hazardous materials assessment, development of hazardous materials abatement specifications, and hazardous materials abatement oversight activities for various construction, renovation, and demolition projects on an on-call basis.

In the development of a fully functional CFEMS further enhancements and program additions will be required. Additionally, as a number of the large-scale construction/renovation projects have been completed and/or are winding down, the MAA Division of Environmental Compliance has begun to review the overall environmental compliance program and identify areas for further enhancement and expansion. The following enhancement activities are in the planning stages and/or have been identified as areas requiring further attention:

- **Development of a CFEMS Manual**—the entire compliance program will be outlined in this document including MAA's Environmental Policy; the CFEMS organizational structure; appropriate lines of communication; roles and responsibilities across the organization; environmental compliance procedures and controls; and all of the processes associated with the complete operation of the program. Other Environmental Plans as well as the ECB will be included by reference only. The manual will include MAA's approach to the four stage program (PLAN, DO, CHECK, ACT) and will fully describe its processes and functions.

- **Gap Analysis of Existing Compliance Activities**—comprehensive review of the existing program areas and a regulatory analysis to identify any gaps to be addressed. These may include the addition of other media-specific topics such as water supply, coastal zone management, air compliance, and noise issues; and enhancement of existing programs and tools to ensure continued regulatory compliance.

- **Enhancement of Environmental Compliance Book**—evaluation of various formats for the ECB to identify and implement a more interactive method of using the information. Early planning efforts have focused on more

interactive, web-based approaches using the Environmental Compliance Program Management Website including implementation of online regulatory calendars, deadline alerts, and status reports.

- **Review and Enhancement of the SOPs for Hazardous and Nonhazardous Waste Management**—review of existing SOPs relative to regulatory requirements and current operations, identification of additional SOPs to be implemented, and communication and training regarding any new procedures or changes to existing procedures.

- **Environmental Plan Updates**—periodic review and update of existing environmental plans such as the Integrated Contingency Plans, Stormwater Management Plans, Asbestos Management Plans, and Stormwater Pollution Prevention Plans.

- **Tenant Outreach Programs**—identification, evaluation, and implementation of outreach activities to promote environmental compliance and stewardship among airport tenants. Such activities may include tenant newsletters, brochures, and posters, audit and incentive programs, tenant training programs, establishment of tenant pollution prevention committees, and direct on-site personnel support.

- **Expanded Training Programs and Initiatives**—identification, evaluation, and implementation of opportunities to enhance employee training programs. These initiatives may include more frequent training; supplementing formal annual and refresher training with more frequent and less formal on-site training and communication sessions; development and installation of informative posters and other material to further to communicate SOPs and regulatory requirements; and online training.

- **Integration of Additional Program Areas into the Program Management Website**—identification of opportunities to further enhance existing programs by integrating additional data collection, review, and approval processes into the program management website. The MAA Division of Environmental Compliance is currently in the planning stage for integrating stormwater outfall and facility inspection and maintenance data into the website to enhance review, approval, and management of maintenance tasks. MAA will be reviewing other program areas to identify any opportunities for integration of additional data management activities into the system.

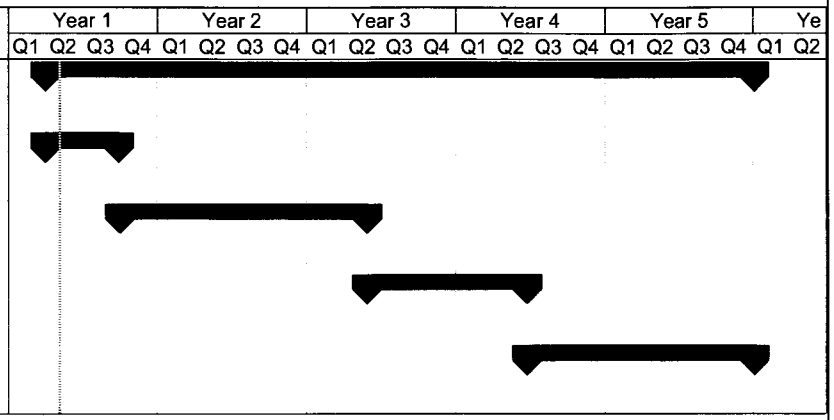
- **Self-Audit Program Manual**—MAA will develop an appropriate self-audit regime as part of the CFEMS to include both guidance for conducting self-audits and for reporting the findings to the appropriate regulatory bodies. The manual will document all audit procedures, environmental requirements, and regulatory reference material. MAA specific audit documentation will be developed as well and included in the Program Manual.

CFEMS DEVELOPMENT AND IMPLEMENTATION SCHEDULE

A timeline for the development and implementation of the CFEMS in accordance with USEPA CFEMS Guidance (EPA-330/9-97-002R) and the specific requirements of the MAA facilities is attached.

Maryland Aviation Administration DRAFT CFEMS Implementation Schedule

ID	Task Name
1	**DRAFT CFEMS Implementation Schedule**
2	**STAGE I (PLAN)**
22	**STAGE II (DO)**
39	**STAGE III (CHECK)**
43	**STAGE IV (ACT)**



Project: MAA CFEMS Schedule YEAR
Date: Fri 5/5/06

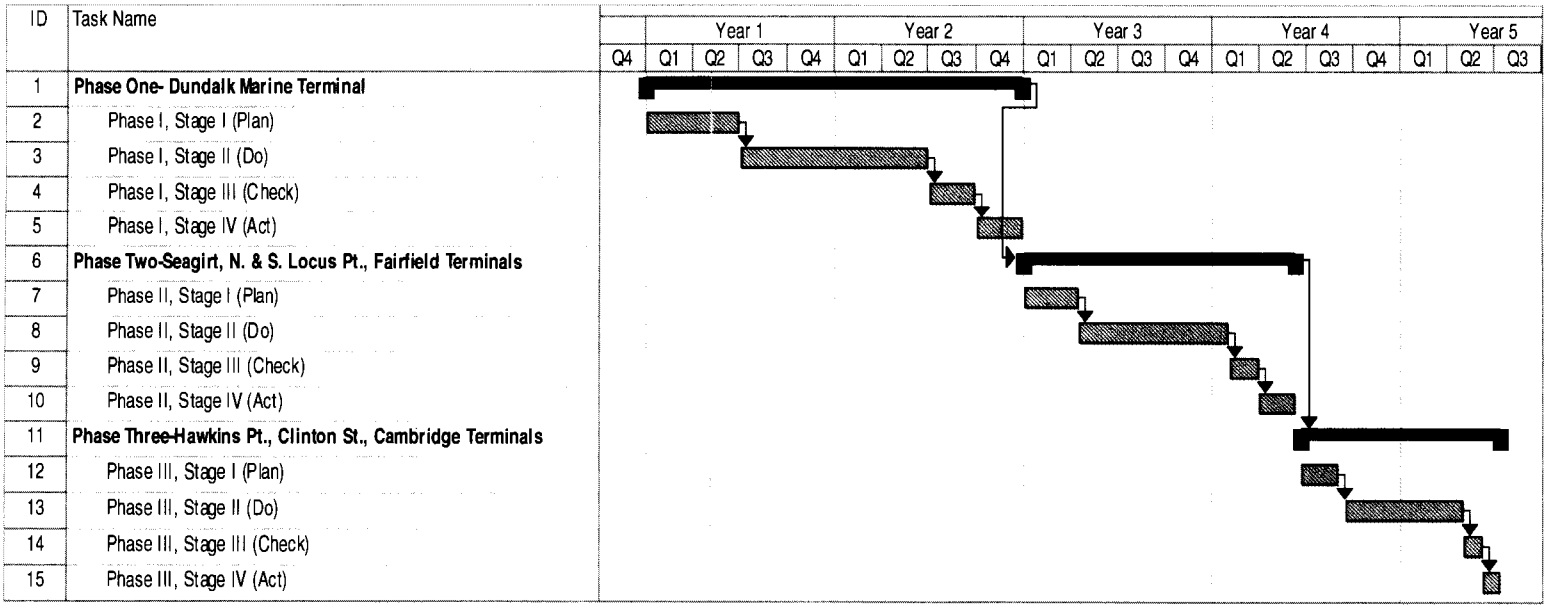
Task
Split
Progress
Milestone
Summary
Project Summary
External Tasks
External Milestone
Deadline

Prepared by EA Engineering, Science and Technology, Inc.

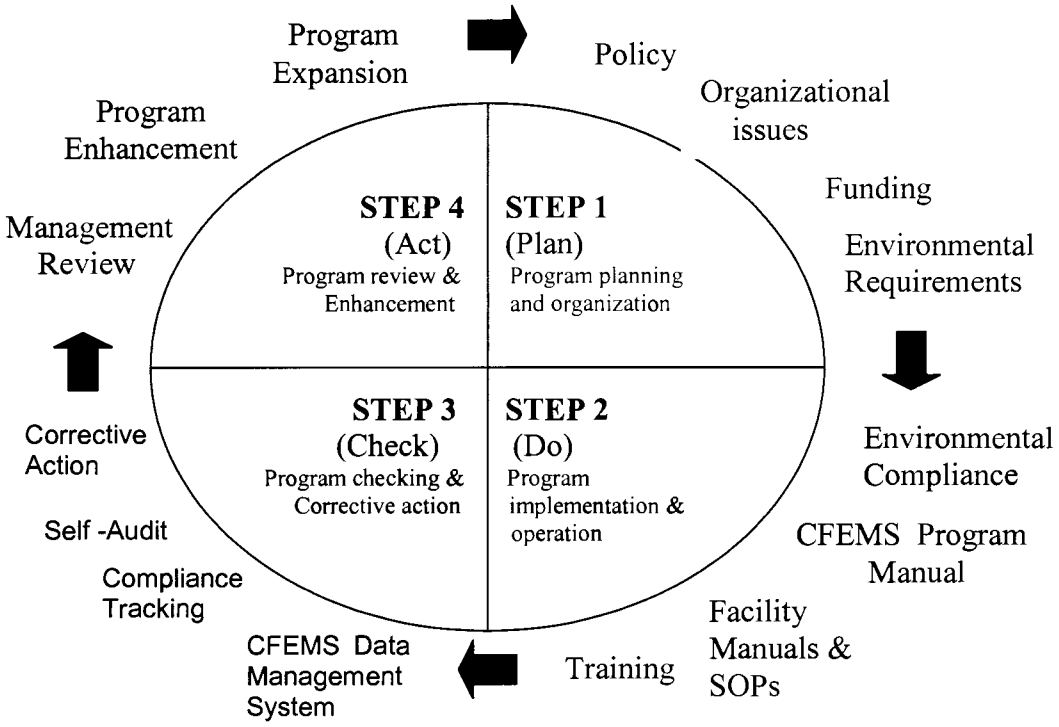
Fri 5/5/06

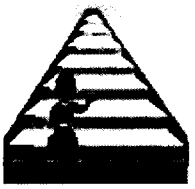
Implementation Schedule

PHASE	TARGET SCOPE	CFEMS STAGE	PERIOD OF PERFORMANCE Start	End
Phase One	Dundalk Marine Terminal	Stage I—Plan	Year 1, Month 1	Year 1, Month 6
		Stage II—Do	Year 1, Month 7	Year 2, Month 6
		Stage III –Check	Year 2, Month 7	Year 2, Month 9
		Stage IV—Act	Year 2, Month 10	Year 2, Month 12
Phase Two	Seagirt, North & South Locust Point, & Fairfield-Masonville Marine Terminals	Stage I—Plan	Year 3, Month 1	Year 3, Month 4
		Stage II—Do	Year 3, Month 5	Year 4, Month 1
		Stage III –Check	Year 4, Month 2	Year 4, Month 3
		Stage IV—Act	Year 4, Month 4	Year 4, Month 5
Phase Three	Hawkins Pt., Clinton St., Cox Creek & Cambridge Properties & Dredge Material Containment Facilities	Stage I—Plan	Year 4, Month 6	Year 4, Month 8
		Stage II—Do	Year 4, Month 9	Year 5, Month 4
		Stage III –Check	Year 5, Month 5	Year 5, Month 5
		Stage IV—Act	Year 5, Month 6	Year 5, Month 6



MARYLAND MOTOR VEHICLE ADMINISTRATION (MVA)
Compliance Focused Environmental Management System (CFEMS)





4 Steps to CFEMS Compliance

Introduction

The Maryland Motor Vehicle Administration (MVA) has launched development and implementation of a Compliance Focused Environmental Management System (CFEMS) in a structured, phased approach to support ongoing environmental compliance activities at MVA facilities located through out Maryland. MVA is developing the system in accordance with the standard ***"Plan-Do-Check-Act"*** (P-D-C-A) model and in accordance with the identified program elements from the EPA CFEMS Guidance. This document presents an outline of the program development plan, the phased approach development, a brief overview of the program elements & tools, and also talks about the overall schedule for program development and implementation.

Program Development Plan

MVA has initiated a phased approach focused on development and implementation of a CFEMS for MVA Branch Offices during an initial phase, refinement of the program elements & then expansion of the program in subsequent phases to incorporate remaining facilities in a systematic manner. The strategy involves two concurrent elements: (A) CFEMS development / Implementation and (B) Compliance Actions (addressing any noncompliance issues identified during CFEMS implementation as part of Systematic Discovery). Implementation of both elements concurrently is critical to ensure both short and long-term compliance. The overall goal of this phased strategy is to identify and correct compliance issues ensuring both short and long-term compliance. The Phased approach is summarized as follows:

- **PHASE I (Year 1 – Year 3): Development and Implementation of CFEMS for MVA Branch Offices located throughout Maryland. -** Involves establishment of CFEMS programmatic elements and implementation of the system following *"Plan-Do-Check-Act"* (P-D-C-A) model for the 24 MVA Branch Offices. Pertinent operations/functions at these facilities includes Vehicle Registration & Driver's Licensing Services, Renewals of Registration & License, Vehicle Emission Testing, Drivers Testing, Commercial Driver Licensing including Hazmat endorsement, Voter registration, Maryland Motorcycle Safety Program/Training classes,

and also storage of petroleum products, waste, other cleaning chemical, stockpiling of salt, other dry materials, above ground & below ground storage tanks etc.

The various categories involved in development of CFEMS in each phase are: (1) Stormwater Management Ponds/Pollution Prevention, (2) Noise Levels/Sound Pollution, (3) Wastewater Management, (4)Air Emission/Air Quality, (5) Asbestos Management, (6) Lead-Based Paint, (7) Hazardous & Toxic Materials Handling / PCB's, (8) Solid & Hazardous Waste Management, (9) Water Supply/Clean Water, and (10) Above Ground Storage Tanks & Below Ground Storage Tanks, (11) Coastal Zone Management, (12) Spill Prevention and Response, and (13) Emergency Planning & Community Right-to-Know.

- **PHASE II (Year 4-Year 5): Expansion of the CFEMS to incorporate MVA-Glen Burnie Headquarters, OIR Building, Garage, Driver Licensing/Annex Building, temporary offices, Above & Underground Storage Tanks, and Warehouses**. --Following implementation of program elements as part of Phase I, MVA will expand the CFEMS using the same PDCA model to cover Glen Burnie.

- **PHASE III (Year 5- Year 6): Expansion of CFEMS to include MVA-VEIP Emission Inspection Stations & VEIP Administrative Office Building.** – Following implementation of Phase II program elements, MVA will expand the CFEMS using the PDCA model to cover Vehicle Emission Inspection Stations (19 each), and VEIP Administrative Office Building.

MVA will be implementing a compliance self-audit program within the CFEMS. These audits will be performed in accordance with each phase, and MVA is scheduled to be self-audited through Phase III by the end of Year 5 (2011). The program development and implementation timeline for the CFEMS elements in each of the phases is also presented in the attached schedule. An outline of program development elements (PLAN/DO) is provided in the following figure.

STEP 1 (Plan)

Develop Environmental Policy

- Develop a policy that clearly communicates management commitment to achieving compliance with applicable environmental regulations.
- The policy should also state management's intent to provide adequate personnel and other resources for the CFEMS.

Address Organizational Issues

- Identify CFEMS-related roles and responsibilities and address the organization of MVA departments if necessary.
- Establish CFEMS Steering Committee comprised of personnel across relevant departments and Districts that will attend scheduled meetings to help develop and finalize specific procedures that will be implemented to meet regulatory requirements.
- Identify and address budgetary requirements, personnel, and resource needs.

Identify Applicable Operations, Facilities, and Regulations

- Identify applicable operations and compile list of MVA facilities.
- Conduct preliminary site visits and develop matrix of facilities verses operations.
- Identify applicable regulations and summarize the specific regulatory requirements into a single, user-friendly working document.

STEP 2 (Do)

Develop Overall Program Structure

- Identify the CFEMS elements to be documented and implemented and develop CFEMS performance measures.
- Document the CFEMS program structure as we proceed with development and implementation of program tools and elements.

Implement CFEMS Elements

- Develop and implement system to manage and track compliance info., records, and CFEMS data.
- Complete an environmental inventory and compliance assessment of each facility.
- Develop and document Standard Operation Procedures (SOPs) for various operations from an environmental compliance perspective.
- Develop and document any required environmental plans (e.g. Stormwater Pollution Prevention Plans, Spill Prevention Control and Countermeasures Plans, Asbestos Management Plans, etc.)
- Organize facility inventory information and specific environmental requirements, procedures, and plans into guidance document specific to each facility.
- Develop and conduct employee training regarding the CFEMS, applicable regulatory requirements, and the procedures developed to meet those requirements.
- Develop and implement a Self-Audit program.

ASSOCIATED PROGRAM TOOLS

- CFEMS Steering Committee
- Environmental Compliance Guide
- CFEMS Program Manual
- CFEMS Data Management System
- Facility Environmental Inventories & Site Assessments
- SOPs
- Environmental Plans
- Facility Environmental Manuals
- Training Programs
- Self-Audit Program Manual

Various Vehicles MVA uses to achieve CFEMS

CFEMS Steering Committee—The success of the CFEMS will be highly dependent on the link between the developed program procedures and the operations, practices, resources, and structure already in place at MVA facilities. Therefore it is essential that various MVA departments, Districts, and facilities take an active role in the planning and development of the program. A CFEMS Steering Committee will be established with appropriate representatives from the various applicable organizational levels. This Committee will meet on a scheduled basis to review recommended CFEMS procedures and program elements, guide the CFEMS development efforts, and monitor implementation progress.

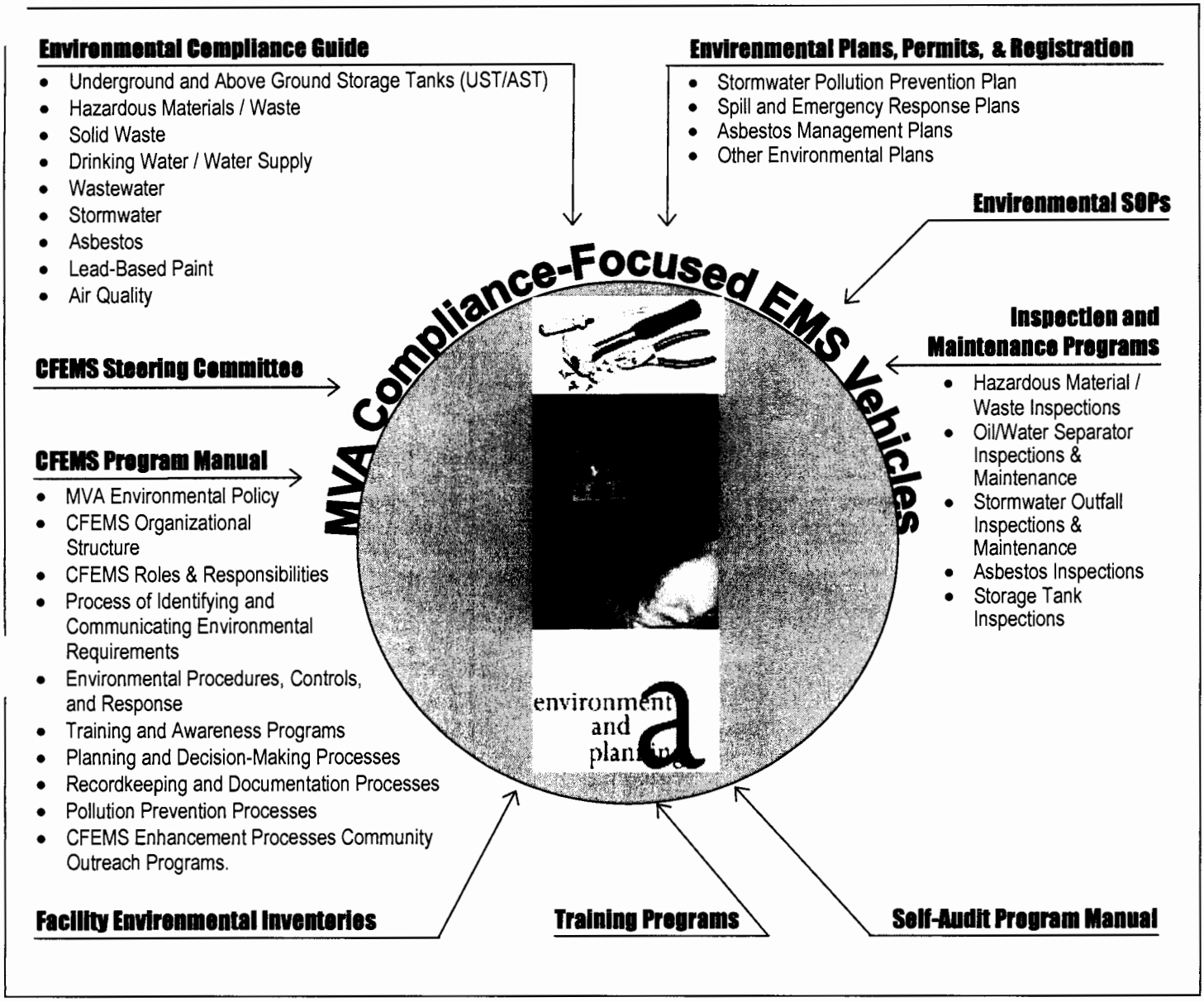
Environmental Compliance Guide (ECG)—MVA facilities and operations are subject to a number of federal and State of Maryland environmental regulations covering various environmental media. This guide will assemble the regulatory requirements into a user-friendly tabular format in a single document, organized by environmental media. It will identify the applicable compliance requirements and describe management and operational procedures that will be put in place to ensure and maintain compliance. The information in the ECG will be currently organized into the following sections:

1. Underground and Above Ground Storage Tanks (UST/AST)
2. Stormwater Pollution Prevention
3. Spill Prevention & Response
4. Wastewater Management
5. Air Emission / Quality
6. Asbestos Management
7. Lead-Based Paint
8. Hazardous and Toxic Materials Handling (incl. PCB's)
9. Solid and Hazardous Waste Management
10. Emergency Planning and Community Right-to-Know
11. Water Supply/Drinking Water
12. Noise / Sound Pollution
13. Coastal Zone Management

Each Section will contain general information regarding the media, a list of applicable regulations and best management practices (BMPs), and then a table which lists the actual regulatory requirements that need to be met along with the procedures in place to meet each requirement.

CFEMS Program Manual—The systems that will be put in place as part of the CFEMS will be documented in a CFEMS Program Manual. The manual will document MVA's environmental policy; the CFEMS organizational structure; CFEMS roles and responsibilities; process of identifying and communicating environmental requirements; environmental procedures, controls, and response; training and awareness programs; planning and decision-making processes; recordkeeping and documentation processes; pollution prevention processes; program enhancement processes; and community outreach programs. The manual will not provide specific details regarding how individual environmental requirements will be met, but rather the management procedures, processes, and tools for ensuring compliance. For example, rather than restate the information in the ECG, the section of the CFEMS Program Manual regarding environmental requirements will discuss and refer to the guide and present the system in place for updating the information and identifying new regulatory requirements.

Facility Environmental Inventories & Site Assessments—A team of environmental professionals will visit each of the facilities pertaining to each Phase of the CFEMS development plan. These visits will be conducted to collect information regarding the inventory of items and operations onsite that have an environmental and/or regulatory impact. Information to be collected within each Environmental Inventory will include facility identification information; facility contacts; site maps; storage tank information and locations; hazardous material/waste information and locations; environmental infrastructure information (e.g. existing and location of oil/water separators, stormwater management ponds, outfalls, etc.); location of any environmentally sensitive areas (e.g. wetlands); and other information that may be subject to environmental regulation. The site teams will also conduct assessments of compliance status and identify any non-compliance issues to be addressed.



Environmental Standard Operating Procedures (SOPs)—MVA will develop a number of SOPs to inform, remind, and document the proper procedures for various operations that have environmental impacts. These SOPs may cover a number of areas ranging from accumulation, storage, and labeling of hazardous waste to inspection of accumulation areas and reporting and recordkeeping requirements as well as specific procedures regarding drum management, paint waste management, used oil, and aboveground storage tanks. The SOPs will be intended to serve as a reference for operational and management personnel. The documents are not intended to be static in nature but to be active resources for documenting and communicating the proper procedures. As new requirements or processes are identified, additional SOPs will be added as well as updates to existing procedures as needed to continually enhance the program.

Environmental Plans, Permits, and Registrations—There are a number of environmental plans required to be developed and implemented in response to specific environmental regulations. These plans include specific procedures for ongoing environmental management and response activities. Examples of these plans include Spill Response and Contingency Plans, Pollution Prevention Plans, Asbestos Management Plans, and other media-specific documents

required by regulation. Through the CFEMS process, MVA will ensure that plans, permits, and registrations meet associated requirements.

Inspection and Maintenance Programs—MVA has already implemented and will continue to implement a number of on-going inspection programs to support program goals and data collection requirements in compliance with specific regulations. Such inspection programs may include storage tank inspections; hazardous waste inspections; oil/water separator inspections & maintenance; stormwater outfall inspections & maintenance; and asbestos inspections.

Training Programs—MVA will implement a number of personnel training programs to ensure effective communication of environmental requirements and management procedures implemented as part of the CFEMS. These training programs will involve training specific to the regulatory requirements across various environmental media as well as awareness training regarding the overall CFEMS program.

Self-Audit Program Manual—As part of the CFEMS, MVA will be performing self-audits of facility compliance and reporting the findings to applicable regulators under a self-disclosure program. A Self-Audit Program Manual will be developed to assist MVA self-auditors in self-identifying and correcting environmental compliance issues MVA facilities. The Manual will document the audit procedures, environmental requirements, and regulatory reference materials. Pre-audit, audit, and post-audit procedures will be documented as well as a copy of a Self-Audit Checklist.

CFEMS Development and Implementation Schedule

The timeline for development and implementation of the MVA CFEMS in accordance with the EPA CFEMS Guidance and MVA's Phased approach is presented in the table below.

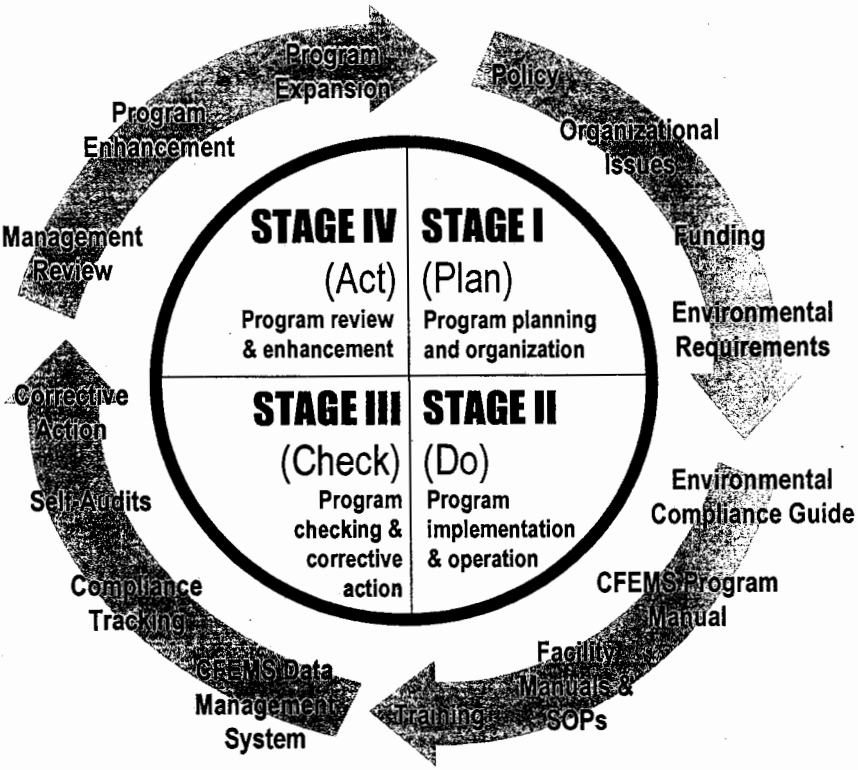
TABLE 1. Maryland Motor Vehicle Administration (MVA) CFEMS Implementation Schedule

PHASE	TARGET FACILITIES	CFEMS STEP	PERIOD OF PERFORMANCE
Phase One	MVA Branch Facilities/Offices (24 ea.) located throughout Maryland	Step I – Plan	Year 1 (Months 1 – 12)
		Step II – Do	Year 1– Year 2 (Months 13 – 24)
		Step III – Check	Year 3 (Months 25 – 30)
		Step IV – Act	Year 3 (Months 31 – 36)
Phase Two	Glen Burnie-HQ, OIR Bldg., Garage, Driver License/Annex Bldg., Temporary offices, underground storage tanks and warehouses	Step I – Plan	Year 3 – Year 4 (Months 33 – 39)
		Step II – Do	Year 4 (Months 36 – 48)
		Step III – Check	Year 5 (Months 49 – 53)
		Step IV – Act	Year 5 (Months 54 – 60)
Phase Three	Emission Inspection Stations (19 ea.) located throughout Maryland and VEIP Headquarters	Step I – Plan	Year 5 – Year 6 (Months 57 – 62)
		Step II – Do	Year 6 (Months 61 – 66)
		Step III – Check	Year 6 (Months 67 – 69)
		Step IV – Act	Year 6 (Months 70 – 72)

MARYLAND TRANSPORTATION AUTHORITY (MdTA)
ɔmpliance Focused Environmental Management System (CFEMS)

Introduction

The Maryland Transportation Authority (MdTA) has begun development and implementation of a Compliance Focused Environmental Management System (CFEMS) in a structured, phased approach to support ongoing environmental compliance activities at MdTA facilities and operations. MdTA is developing the system in accordance with the standard Plan, Do, Check, Act (PDCA) model and in accordance with the identified program elements from the EPA CFEMS Guidance. This document presents an outline of the program development plan; the phased approach developed by SHA; to be utilized by MdTA, a brief overview of the program elements and tools, and an overall schedule for program development and implementation.



Program Development Plan

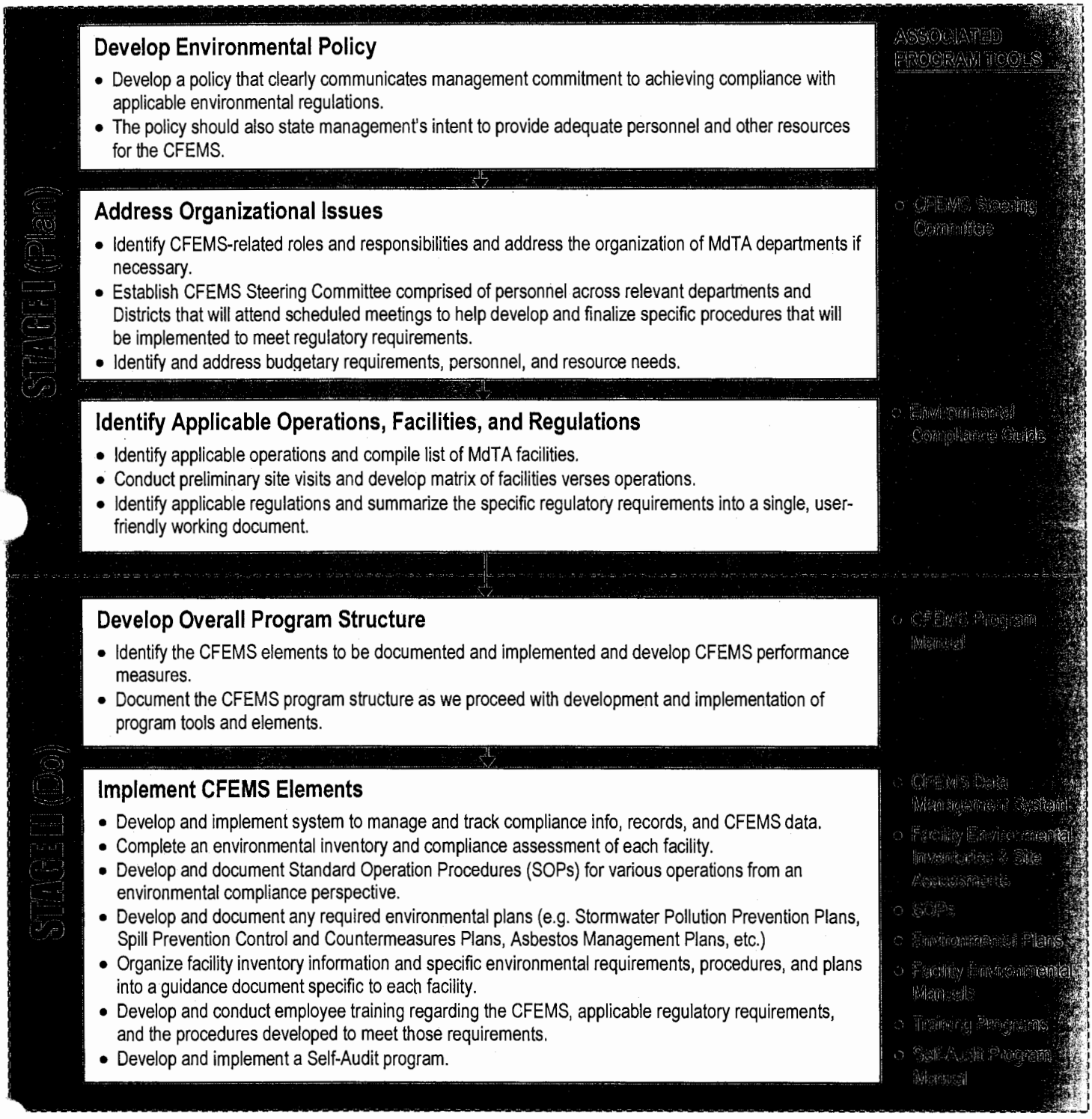
ɪTA has initiated a phased approach focused . development and implementation of a CFEMS for Primary Maintenance Shops during an initial Phase, refinement of the program elements, and then expansion of the program in subsequent Phases to incorporate remaining facility types in a systematic manner. The strategy involves two concurrent elements: (A) CFEMS development/ implementation and (B) Compliance Actions (addressing any noncompliance issues identified during CFEMS implementation as part of Systematic Discovery). Implementation of both elements concurrently is critical to ensuring both short and long-term compliance. The overall goal of this phased strategy is to identify and correct compliance issues concurrently with developing and implementing the CFEMS to ensure continued, long-term compliance of MdTA facilities and operations. The phased approach is summarized as follows:

- **PHASE ONE (Year 1 – Year 3): Development and Implementation of CFEMS for Primary Maintenance Facilities.** - Involves establishment of CFEMS programmatic elements and implementation of the system following the PDCA model for primary MdTA Vehicle Maintenance Facilities. Pertinent operations at these targeted facilities include fueling, vehicle maintenance, vehicle washing, vehicle painting, storage of petroleum products, waste, and other liquid chemicals in aboveground and underground storage tanks, stockpiling of salt and other dry materials and hazmat storage.

- **PHASE TWO (Year 3 – Year 4): Expansion of the CFEMS to Incorporate Secondary Maintenance Shops; Stockpile/Salt Storage Facilities; Welcome/Rest Centers; Weigh Stations; Draw Bridges; and Ancillary Facilities, i.e., emergency garages.** - Following implementation of program elements as part of Phase One, MdTA will expand the CFEMS using the same PDCA model to cover the Stockpile/Salt Storage Facilities (10); Weigh Stations (2); Emergency Garages (3); Rest Area/Service Stations (2); and Ancillary Facilities.

- **PHASE THREE (Year 4 – Year 5): Expansion of the CFEMS to Incorporate Planned New Maintenance Facilities on I-95 and the Inter-County Connector (ICC).** - Following implementation of Phase Two program elements, MdTA will expand the CFEMS using the PDCA model to cover planned new maintenance facilities like those in Phase I and II, planned on I-95 and the ICC.

MdTA will be implementing a compliance self-audit program within the CFEMS. These audits will be performed in accordance with each phase, and MdTA is scheduled to be completely self-audited through Phase Two by the end of year 5. The program development and implementation timelines for the CFEMS elements in each of the Phases are presented in the attached schedule. An outline of the program development elements (Stages I and II) is provided in the following figure.



Program Tools

EMS Steering Committee—The success of the CFEMS will be highly dependent on the link between the developed program procedures and the operations, practices, resources, and structure already in place at MdTA facilities. Therefore it is essential that various MdTA departments, and facilities take an active role in the planning and development of the program. A CFEMS Steering Committee will be established with appropriate representatives from the various applicable organizational levels. This Committee will meet on a scheduled basis to review recommended CFEMS procedures and program elements, guide the CFEMS development efforts, and monitor implementation progress.

Environmental Compliance Guide (ECG)—MdTA facilities and operations are subject to a number of federal and State of Maryland environmental regulations covering various environmental media. This guide will assemble the regulatory requirements into a user-friendly tabular format in a single document, organized by environmental media. It will identify the applicable compliance requirements and describe management and operational procedures that will be put in place to ensure and maintain compliance. The information in the ECG will be currently organized into the following sections:

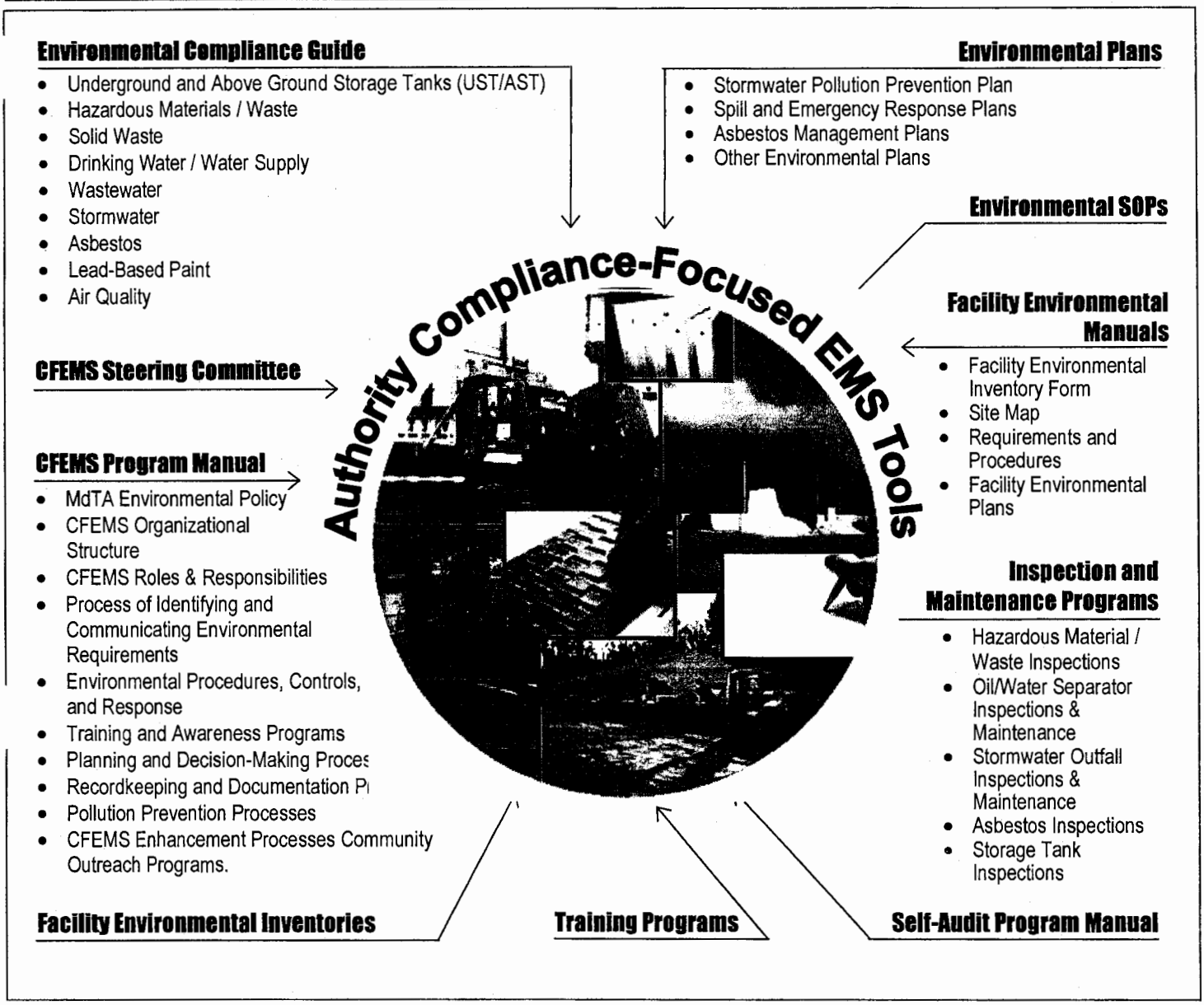
- Underground and Above Ground Storage Tanks (UST/AST)
- Hazardous Materials / Waste
- Solid Waste
- Drinking Water / Water Supply
- Wastewater
- Stormwater
- Asbestos
- Lead-Based Paint
- Air Quality

Each Section will contain general information regarding the media, a list of applicable regulations and best management practices (BMPs), and then a table which lists the actual regulatory requirements that need to be met along with the procedures in place to meet each requirement.

CFEMS Program Manual—The systems that MdTA establishes, as part of the CFEMS will be documented in a CFEMS Program Manual. The manual will document MdTA's environmental policy; the CFEMS organizational structure; CFEMS roles and responsibilities; process of identifying and communicating environmental requirements; environmental procedures, controls, and response; training and awareness programs; planning and decision-making processes; recordkeeping and documentation processes; pollution prevention processes; program enhancement processes; and community outreach programs. The manual will not provide specific details regarding how individual environmental requirements will be met, but rather the management procedures, processes, and tools for ensuring compliance. For example, rather than restate the information in the ECG, the section of the CFEMS Program Manual regarding environmental requirements will discuss and refer to the guide and present the system in place for updating the information and identifying new regulatory requirements.

CFEMS Data Management System—MdTA intends to develop and implement a web-based system to integrate the program tools and serve as the central management utility for the CFEMS. The password-protected site will contain a number of functions to facilitate data management and reporting, document management, communications, and tracking of facility compliance status all accessible via a standard web browser and Internet connection.

Facility Environmental Inventories & Site Assessments—A team of environmental professionals will visit each of the facilities pertaining to each Phase of the CFEMS development plan. These visits will be conducted to collect information regarding the inventory of items and operations onsite that have an environmental and/or regulatory impact. Information to be collected within each Environmental Inventory will include facility identification information; facility contacts; site maps; storage tank information and locations; hazardous material/waste information and locations; environmental infrastructure information (e.g. existing and location of oil/water separators, stormwater management ponds, outfalls, etc.); location of any environmentally sensitive areas (e.g. wetlands); and other information that may be subject to environmental regulation. The site teams will also conduct assessments of compliance status and identify any non-compliance issues to be addressed.



Environmental Standard Operating Procedures (SOPs)—MdTA will develop a number of SOPs to inform, remind, and document the proper procedures for various operations that have environmental impacts. These SOPs may cover a number of areas ranging from accumulation, storage, and labeling of hazardous waste to inspection of accumulation areas and reporting and recordkeeping requirements as well as specific procedures regarding drum management, paint waste management, used oil, and aboveground storage tanks. The SOPs will be intended to serve as a reference for operational and management personnel. The documents are not intended to be static in nature but to be active resources for documenting and communicating the proper procedures. As new requirements or processes are identified, additional SOPs will be added as well as updates to existing procedures as needed to continually enhance the program.

Environmental Plans—There are a number of environmental plans required to be developed and implemented in response to specific environmental regulations. These plans include specific procedures for ongoing environmental management and response activities. Examples of these plans include Spill Response and Contingency Plans, Pollution evention Plans, Asbestos Management Plans, and other media-specific documents required by regulation.

Facility Environmental Manuals—MdTA will develop facility-specific environmental manuals for each site. The primary purpose of the manuals will be to serve as a reference tool for facility personnel in maintaining environmental compliance at the facility. It will provide basic information on how to conduct facility activities in an environmentally sensitive manner and in keeping with applicable environmental laws, regulations, and policies. They will include the facility environmental inventory forms and maps from the site assessments and incorporate the environmental requirements tables from the ECG as well as the environmental SOPs and any facility-specific environmental plans as appendices. The manuals will also provide personnel with specific instructions for responding to a regulatory audit. These manuals will be a key element of the CFEMS from a functional perspective as they are intended to be the primary resource for personnel at each facility regarding the applicable environmental requirements the procedures that they will be responsible for.

Inspection and Maintenance Programs—MdTA will implement a number of inspection programs to support program goals and data collection requirements in compliance with specific regulations. Such inspection programs may include storage tank inspections; hazardous waste inspections; oil/water separator inspections & maintenance; stormwater outfall inspections & maintenance; and asbestos inspections.

Training Programs—MdTA will implement a number of personnel training programs to ensure effective communication of environmental requirements and management procedures implemented as part of the CFEMS. These training programs will involve training specific to the regulatory requirements across various environmental media as well as awareness training regarding the overall CFEMS program.

Self-Audit Program Manual—As part of the CFEMS, MdTA will be performing self-audits of facility compliance and reporting the findings to applicable regulators under a self-disclosure program. A Self-Audit Program Manual will be developed to assist MdTA self-auditors in self-identifying and correcting environmental compliance issues at MdTA facilities. The Manual will document the audit procedures, environmental requirements, and regulatory reference materials. Pre-audit, audit, and post-audit procedures will be documented as well as a copy of a Self-Audit Checklist.

CFEMS Development and Implementation Schedule

The timeline for development and implementation of the MdTA CFEMS in accordance with the EPA CFEMS Guidance and MdTA's Phased approach is presented in the attached schedule.

Table 1. Maryland Transportation Authority (MdTA) CFEMS Implementation Schedule

Phase	Selected Facilities	CREMS Stage	Period of Performance
Phase One	Primary Vehicle Maintenance Facilities	Stage I – Plan	Year 1 (Months 1-6)
		Stage II – Do	Year 1 – 2 (Months 6 – 24)
		Stage III – Check	Year 3 (Months 25 –30)
		Stage IV - Act	Year 3 (Months 31 – 36)
Phase Two	Emergency Garages, Salt Storage Areas, Weigh Stations, Rest Areas/Service Stations	Stage I – Plan	Year 2 (Months 19- 24)
		Stage II – Do	Year 3 (Months 25 – 36)
		Stage III – Check	Year 4 (Months 37 – 42)
		Stage IV - Act	Year 4 (Months 43 – 48)
Phase Three	New Planned Facilities	Stage I – Plan	Year 3 (Months 31 – 36)
		Stage II – Do	Year 4 (Months 37 – 48)
		Stage III – Check	Year 5 (Months 49 – 54)
		Stage IV - Act	Year 5 (Months 55 –60)

SELF-AUDIT/SELF-DISCLOSURE AGREEMENT BY AND BETWEEN MARYLAND TRANSPORTATION AUTHORITY AND THE UNITED STATES ENVIRONMENTALPROTECTION AGENCY

I. INTRODUCTION

Effective management of environmental compliance issues plays a critical role in protecting human health and the environment by identifying, correcting, and ultimately preventing violations of environmental regulations; and

The Maryland Transportation Authority ("MdTA") wants to obtain the benefits of the policy of the United States Environmental Protection Agency ("EPA") entitled "Incentives for Self-Policing: Discovery, Disclosure, Correction, and Prevention of Violations." See 65 Federal Register 19618 (April 11, 2000) (the "Policy"); and

To implement its own policies while obtaining the benefits of the Policy, MdTA is willing to develop and implement a Compliance Focused Environmental Management System ("CFEMS") that will incorporate a compliance self-audit within the CFEMS. The CFEMS together with the incorporated compliance self-audit of the regulations promulgated or authorized by the EPA set forth in Section II below, will allow MdTA to develop and implement an administrative and operational framework to accomplish environmental compliance and to disclose any and all violations found to the EPA and to correct said violations; and

The performance of a CFEMS, as well as the disclosure and correction of any and all regulatory violations discovered therein, will implement the purpose of the Policy, which is to "enhance the protection of human health and the environment by encouraging regulated entities to voluntarily discover, disclose, correct and prevent violations of Federal environmental law." See 65 Fed. Reg. At 19618 (April 11, 2000): and

The development and implementation of a CFEMS by MdTA, and the disclosure and correction of any and all regulatory violations, will benefit the EPA by allowing EPA to more efficiently utilize its resources in obtaining regulatory compliance within its jurisdiction; and

To obtain the benefits of the performance by MdTA of its CFEMS and the disclosure and correction of any and all violations, the EPA is willing to enter into an agreement with MdTA, and

Accordingly, MdTA and the EPA agree as follows with the understanding that this Agreement (the "Agreement") is governed by the terms of the Policy, except to the extent that those terms are explicitly modified below.

II. DESCRIPTION AND SCHEDULE OF CFEMS AND SELF-AUDIT

The development and implementation of a CFEMS for MdTA will consist of a four-stage process. Each stage will consist of certain activities as set forth below:

1. Stage I

MdTA agrees to complete the following tasks in Stage I:

a. Develop and adopt an Environmental Policy.
b. Define Selected Facilities and Operations through evaluation of MdTA's organizational structure and personnel.
c. Establish a clear chain of communication to develop and implement the CFEMS.
d. Perform of a Gap Analysis.
e. Define CFEMS Performance Measures utilizing the EPA's CFEMS as guidance.

2. Stage II

MdTA agrees to complete the following tasks in Stage II:

a. Create the CFEMS for MdTA. This activity will include the development of a CFEMS Manual that is consistent with the established Environmental Policy. The CFEMS Manual will at a minimum contain: CFEMS Organizational Structure; CFEMS Roles and Responsibilities; and the 12 CFEMS components in the U.S. EPA CFEMS guidance document.
b. Implement the CFEMS for MdTA.

3. Stage III

MdTA agrees to complete the following tasks in Stage III:

a. Perform a compliance-based self-audit. This audit will consist of all regulations set forth in Section III of this agreement. Corrective action and remediation efforts will begin for noncompliance issues identified during the compliance audit under the timeframes established under the Policy.[1]
b. Facilitate the performance of a third party audit of the CFEMS. This audit will consist of an evaluation of the implementation of the CFEMS Manual, Management Integration, and Operational Performance utilizing the EPA CFEMS Guidance as a measurement of success. The CFEMS Audit will document and identify EMS deficiencies and opportunities for continual improvement to the overall system.

[1] It should also be noted that anytime during any of these stages of development of the CFEMS that any of the agencies identify non-compliance issues they should follow the U.S. EPA Audit Policy for disclosure, corrective action and/or remediation.

4. Stage IV

MdTA agrees to complete the following tasks in Stage IV:

a. Participate in Senior Management briefings on the CFEMS Audit and Audit Evaluation presented by third party auditor.
b. Facilitate Senior Management participation with Steering Teams/Executive Committees to evaluate, prioritize, develop, and implement CFEMS enhancements and expand the CFEMS to a broader scope of the operational areas, if appropriate. Determination of whether an increase in the scope of the CFEMS is necessary shall be at the sole discretion of MdTA.

5. Schedule

See attached Table 1.

III. STATUS REPORTS

At the end of each calendar year MdTA will submit a status report reflecting its progress with regard to the CFEMS schedule.

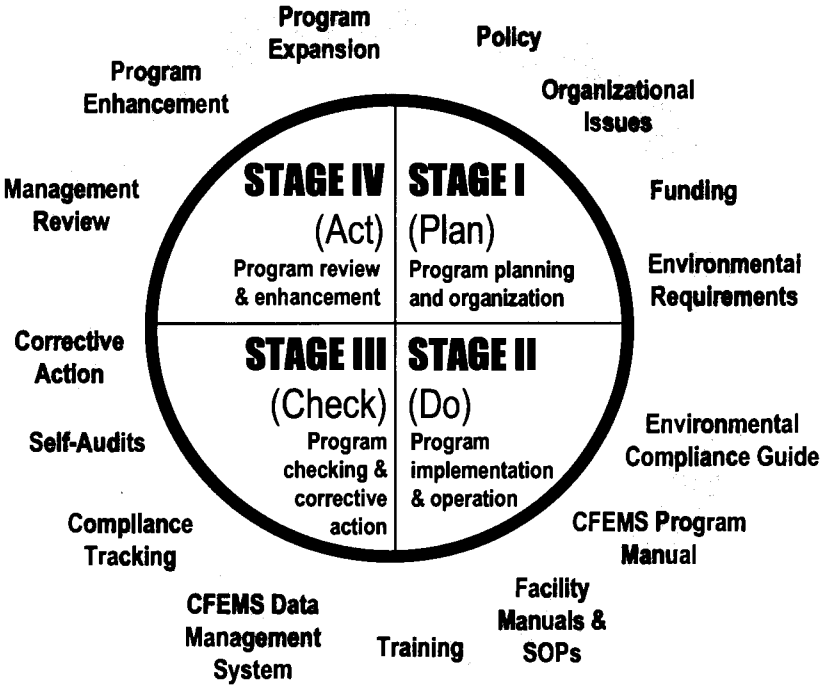
IV. FINAL COMPLETION DATE

The parties to this Agreement intend that the work described in Section II of this Agreement will be completed within 5 calendar years from the date of the final execution of this Agreement, at which time this Agreement will terminate. This date may be extended for good cause and upon mutual written consent of MdTA and EPA.

MARYLAND STATE HIGHWAY ADMINISTRATION (SHA)
Compliance Focused Environmental Management System (CFEMS)

Introduction

The Maryland State Highway Administration (SHA) has begun development and implementation of a Compliance Focused Environmental Management System (CFEMS) in a structured, phased approach to support ongoing environmental compliance activities at SHA facilities and operations. SHA is developing the system in accordance with the standard Plan, Do, Check, Act (PDCA) model and in accordance with the identified program elements from the EPA CFEMS Guidance. This document presents an outline of the program development plan, the phased approach developed by SHA, a brief overview of the program elements and tools, and an overall schedule for program development and implementation.



Program Development Plan

SHA has initiated a phased approach focused on development and implementation of a CFEMS for Primary Maintenance Shops during an initial Phase, refinement of the program elements, and then expansion of the program in subsequent Phases to incorporate remaining facility types in a systematic manner. The strategy involves two concurrent elements: (A) CFEMS development/ implementation and (B) Compliance Actions (addressing any noncompliance issues identified during CFEMS implementation as part of Systematic Discovery). Implementation of both elements concurrently is critical to ensuring both short and long-term compliance. The overall goal of this phased strategy is to identify and correct compliance issues concurrently with developing and implementing the CFEMS to ensure continued, long-term compliance of SHA facilities and operations. The phased approach is summarized as follows:

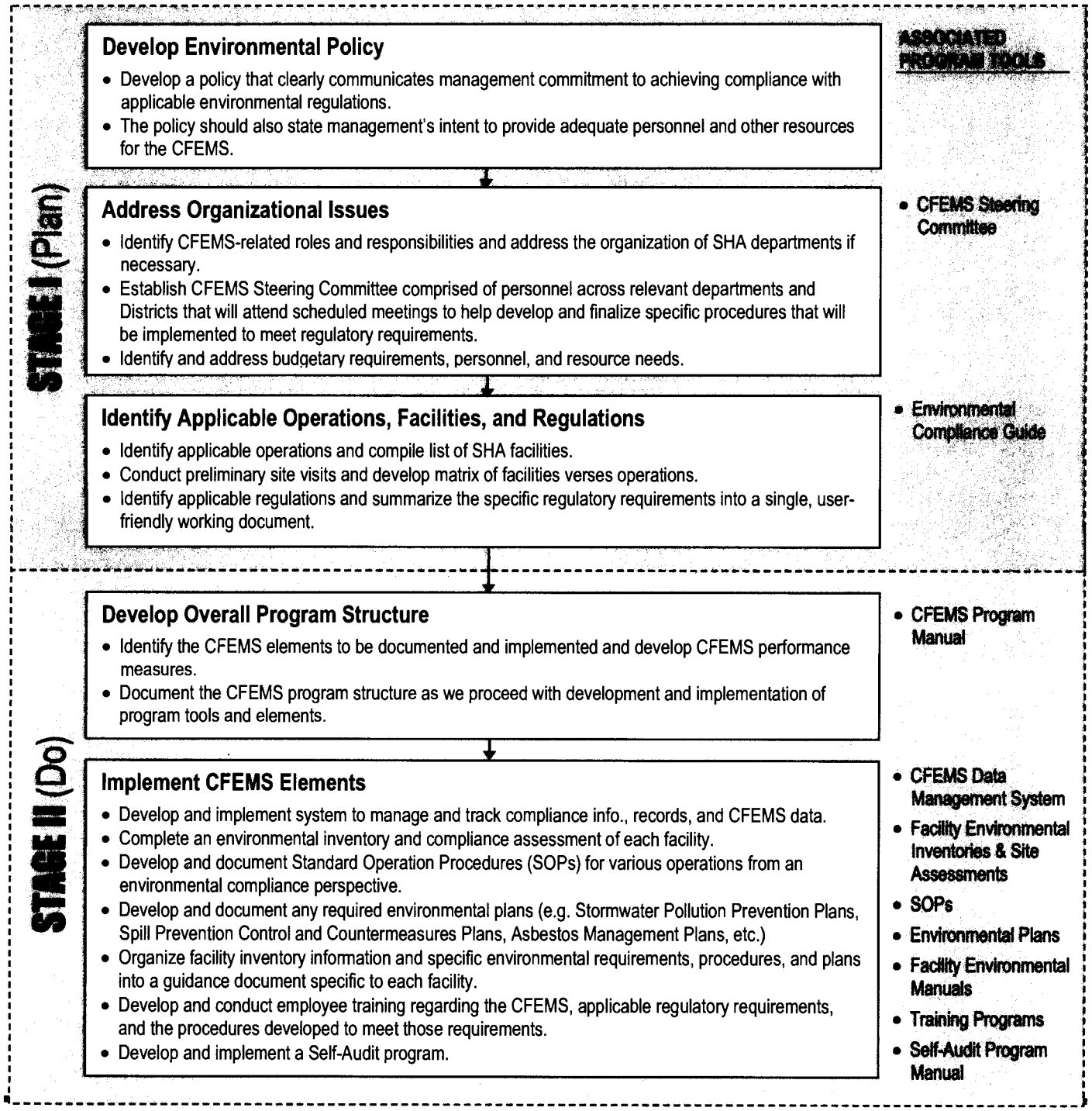
- **PHASE ONE (Year 1 – Year 3): Development and Implementation of CFEMS for Primary Maintenance Facilities**—Involves establishment of CFEMS programmatic elements and implementation of the system following the PDCA model for the twenty-eight (28) primary SHA Vehicle Maintenance Facilities. Pertinent operations at these targeted facilities include fueling, vehicle maintenance, vehicle washing, vehicle painting, storage of petroleum products, waste, and other liquid chemicals in aboveground and underground storage tanks, stockpiling of salt and other dry materials, hazmat storage, and animal carcass disposal.

- **PHASE TWO (Year 3 – Year 4): Expansion of the CFEMS to Incorporate Satellite Maintenance Shops; Stockpile/Salt Storage Facilities; Welcome/Rest Centers; Weigh Stations; Draw Bridges; and Communication Facilities**—Following implementation of program elements as part of Phase One, SHA will expand the CFEMS using the same PDCA model to cover Satellite Maintenance Shops (17); Stockpile/Salt Storage Facilities (42); Weigh Stations (11); Draw Bridges (19); Welcome/Rest Centers (11); and Communication Facilities.

- **PHASE THREE (Year 4 – Year 5): Expansion of the CFEMS to Incorporate SHA Laboratories**—Following implementation of Phase Two program elements, SHA will expand the CFEMS using the PDCA model to cover SHA Laboratory Facilities (4).

- **FUTURE PHASES: Expansion of the CFEMS for to Incorporate Other Operations**—After Phase III has been implemented, SHA will begin to incorporate operations beyond facilities into the CFEMS. SHA has targeted roadside maintenance and winter operations as the initial activities to be incorporated.

SHA will be implementing a compliance self-audit program within the CFEMS. These audits will be performed in accordance with each phase, and SHA is scheduled to be completely self-audited through Phase Three by the end of Year 5. The program development and implementation timelines for the CFEMS elements in each of the Phases are presented in the attached schedule. An outline of the program development elements (Stages I and II) is provided in the following figure.



Program Tools

CFEMS Steering Committee—The success of the CFEMS will be highly dependent on the link between the developed program procedures and the operations, practices, resources, and structure already in place at SHA facilities. Therefore it is essential that various SHA departments, Districts, and facilities take an active role in the planning and development of the program. A CFEMS Steering Committee will be established with appropriate representatives from the various applicable organizational levels. This Committee will meet on a scheduled basis to review recommended CFEMS procedures and program elements, guide the CFEMS development efforts, and monitor implementation progress.

Environmental Compliance Guide (ECG)—SHA facilities and operations are subject to a number of federal and State of Maryland environmental regulations covering various environmental media. This guide will assemble the regulatory requirements into a user-friendly tabular format in a single document, organized by environmental media. It will identify the applicable compliance requirements and describe management and operational procedures that will be put in place to ensure and maintain compliance. The information in the ECG will be currently organized into the following sections:

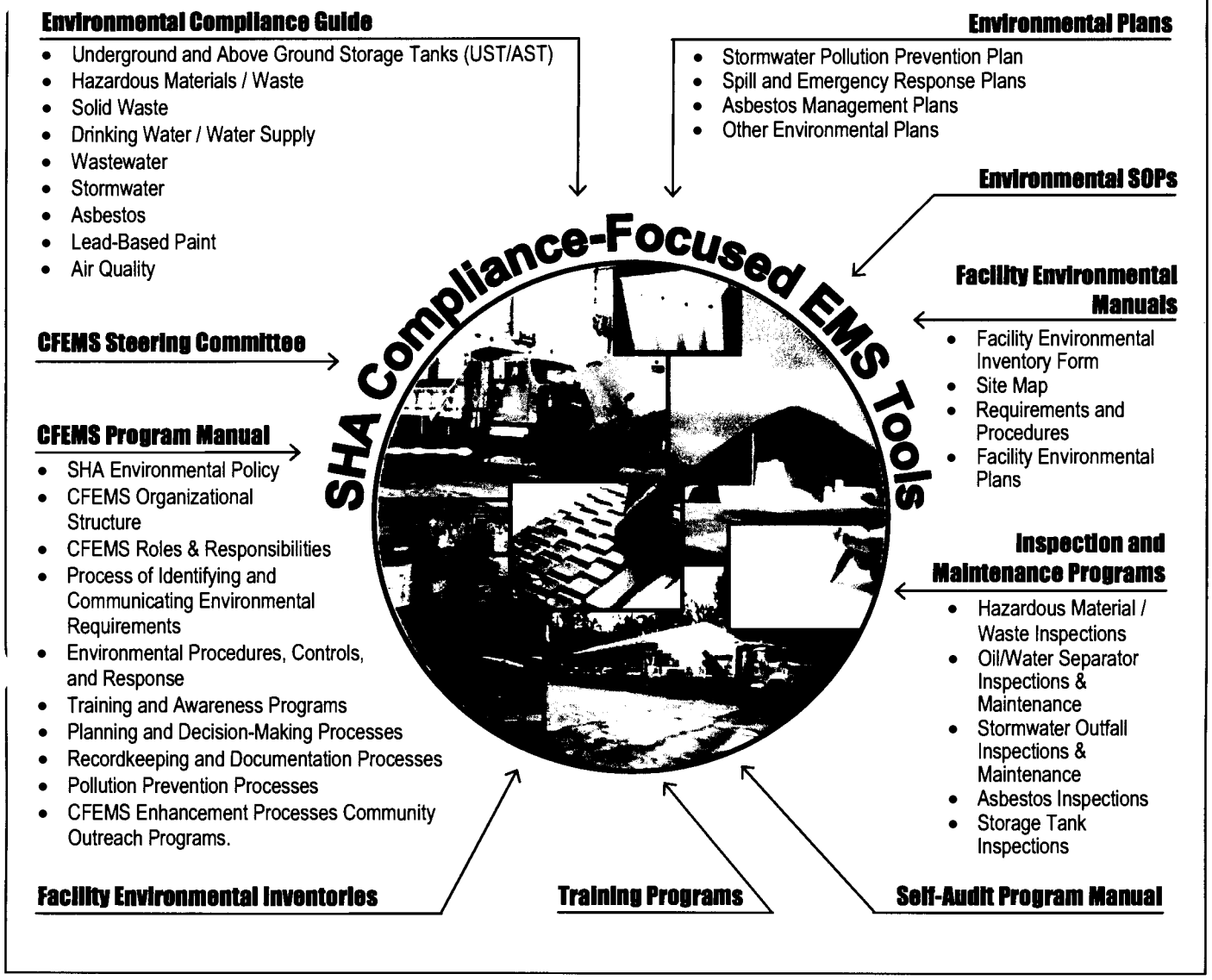
- Underground and Above Ground Storage Tanks (UST/AST)
- Hazardous Materials / Waste
- Solid Waste
- Drinking Water / Water Supply
- Wastewater
- Stormwater
- Asbestos
- Lead-Based Paint
- Air Quality

Each Section will contain general information regarding the media, a list of applicable regulations and best management practices (BMPs), and then a table which lists the actual regulatory requirements that need to be met along with the procedures in place to meet each requirement.

CFEMS Program Manual—The systems that will be put in place as part of the CFEMS will be documented in a CFEMS Program Manual. The manual will document SHA's environmental policy; the CFEMS organizational structure; CFEMS roles and responsibilities; process of identifying and communicating environmental requirements; environmental procedures, controls, and response; training and awareness programs; planning and decision-making processes; recordkeeping and documentation processes; pollution prevention processes; program enhancement processes; and community outreach programs. The manual will not provide specific details regarding how individual environmental requirements will be met, but rather the management procedures, processes, and tools for ensuring compliance. For example, rather than restate the information in the ECG, the section of the CFEMS Program Manual regarding environmental requirements will discuss and refer to the guide and present the system in place for updating the information and identifying new regulatory requirements.

CFEMS Data Management System—SHA intends to develop and implement a web-based system to integrate the program tools and serve as the central management utility for the CFEMS. The password-protected site will contain a number of functions to facilitate data management and reporting, document management, communications, and tracking of facility compliance status all accessible via a standard web browser and internet connection.

Facility Environmental Inventories & Site Assessments—A team of environmental professionals will visit each of the facilities pertaining to each Phase of the CFEMS development plan. These visits will be conducted to collect information regarding the inventory of items and operations onsite that have an environmental and/or regulatory impact. Information to be collected within each Environmental Inventory will include facility identification information; facility contacts; site maps; storage tank information and locations; hazardous material/waste information and locations; environmental infrastructure information (e.g. existance and location of oil/water separators, stormwater management ponds, outfalls, etc.); location of any environmentally sensitive areas (e.g. wetlands); and other information that may be subject to environmental regulation. The site teams will also conduct assessments of compliance status and identify any non-compliance issues to be addressed.



Environmental Standard Operating Procedures (SOPs)—SHA will develop a number of SOPs to inform, remind, and document the proper procedures for various operations that have environmental impacts. These SOPs may cover a number of areas ranging from accumulation, storage, and labeling of hazardous waste to inspection of accumulation areas and reporting and recordkeeping requirements as well as specific procedures regarding drum management, paint waste management, used oil, and aboveground storage tanks. The SOPs will be intended to serve as a reference for operational and management personnel. The documents are not intended to be static in nature but to be active resources for documenting and communicating the proper procedures. As new requirements or processes are identified, additional SOPs will be added as well as updates to existing procedures as needed to continually enhance the program.

Environmental Plans—There are a number of environmental plans required to be developed and implemented in response to specific environmental regulations. These plans include specific procedures for ongoing environmental management and response activities. Examples of these plans include Spill Response and Contingency Plans, Pollution Prevention Plans, Asbestos Management Plans, and other media-specific documents required by regulation.

Facility Environmental Manuals—SHA will develop facility-specific environmental manuals for each site. The primary purpose of the manuals will be to serve as a reference tool for facility personnel in maintaining environmental compliance at the facility. It will provide basic information on how to conduct facility activities in an environmentally sensitive manner and in keeping with applicable environmental laws, regulations, and policies. They will include the facility environmental inventory forms and maps from the site assessments and incorporate the environmental requirements tables from the ECG as well as the environmental SOPs and any facility-specific environmental plans as appendices. The manuals will also provide personnel with specific instructions for responding to a regulatory audit. These manuals will be a key element of the CFEMS from a functional perspective as they are intended to be the primary resource for personnel at each facility regarding the applicable environmental requirements the procedures that they will be responsible for.

Inspection and Maintenance Programs—SHA has already implemented and will continue to implement a number of on-going inspection programs to support program goals and data collection requirements in compliance with specific regulations. Such inspection programs may include storage tank inspections; hazardous waste inspections; oil/water separator inspections & maintenance; stormwater outfall inspections & maintenance; and asbestos inspections.

Training Programs—SHA will implement a number of personnel training programs to ensure effective communication of environmental requirements and management procedures implemented as part of the CFEMS. These training programs will involve training specific to the regulatory requirements across various environmental media as well as awareness training regarding the overall CFEMS program.

Self-Audit Program Manual—As part of the CFEMS, SHA will be performing self-audits of facility compliance and reporting the findings to applicable regulators under a self-disclosure program. A Self-Audit Program Manual will be developed to assist SHA self-auditors in self-identifying and correcting environmental compliance issues at SHA facilities. The Manual will document the audit procedures, environmental requirements, and regulatory reference materials. Pre-audit, audit, and post-audit procedures will be documented as well as a copy of a Self-Audit Checklist.

CFEMS Development and Implementation Schedule

The timeline for development and implementation of the SHA CFEMS in accordance with the EPA CFEMS Guidance and SHA's Phased approach is presented in the attached schedule.

TABLE 1. Maryland State Highway Administration (SHA) CFEMS Implementation Schedule

PHASE	TARGET FACILITIES	CFEMS STAGE	PERIOD OF PERFORMANCE
Phase One	Primary Vehicle Maintenance Facilities	Stage I – Plan	Year 1 (Months 1 – 6)
		Stage II – Do	Year 1– Year 2 (Months 6 – 24)
		Stage III – Check	Year 3 (Months 25 – 30)
		Stage IV – Act	Year 3 (Months 31 – 36)
Phase Two	Satellite Maintenance Facilities, Stockpile/Salt Storage Facilities, Weigh Stations, Draw Bridges, Welcome/Rest Centers, Communication Facilities	Stage I – Plan	Year 2 (Months 19 – 24)
		Stage II – Do	Year 3 (Months 25 – 36)
		Stage III – Check	Year 4 (Months 37 – 42)
		Stage IV – Act	Year 4 (Months 43 – 48)
Phase Three	Laboratories	Stage I – Plan	Year 3 (Months 31 – 36)
		Stage II – Do	Year 4 (Months 37 – 48)
		Stage III – Check	Year 5 (Months 49 – 54)
		Stage IV – Act	Year 5 (Months 55 – 60)

COMPLIANCE FOCUSED ENVIRONMENTAL MANAGEMENT SYSTEM (CFEMS) IMPLEMENTATION SCHEDULE

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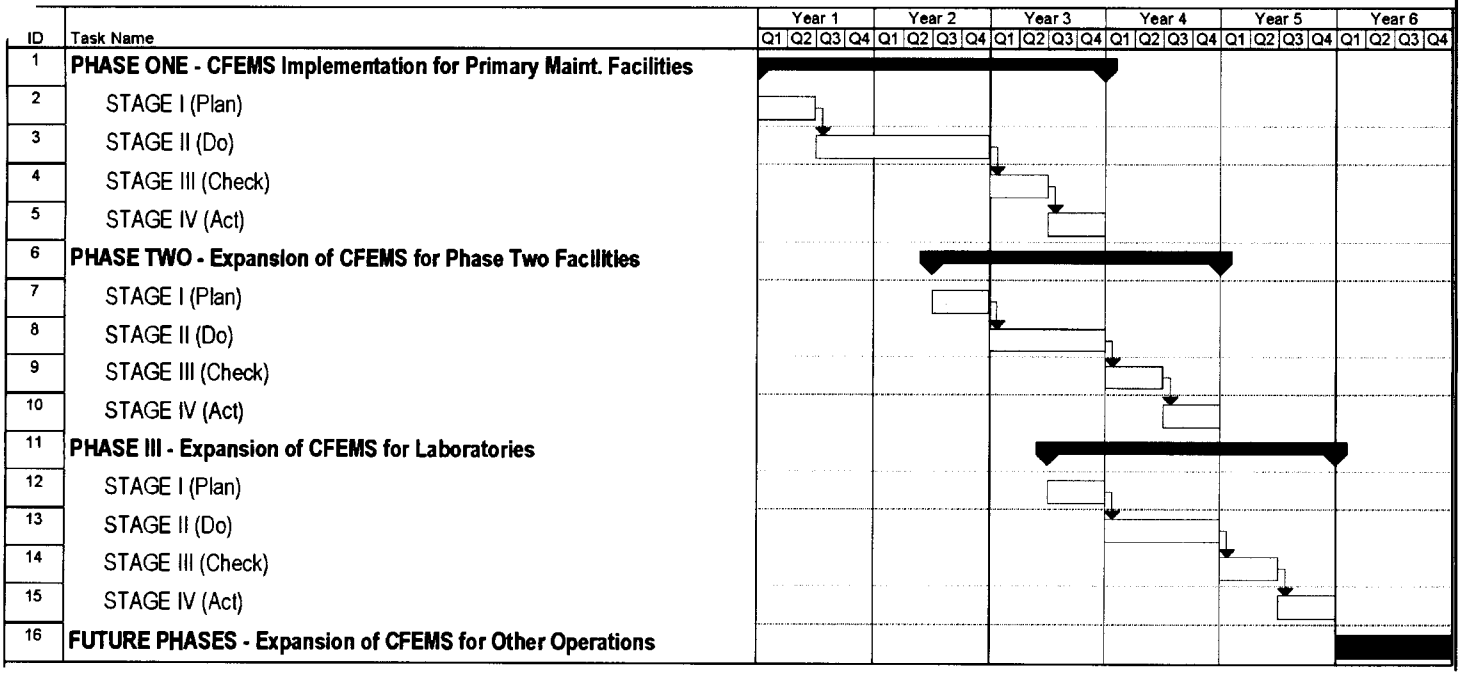
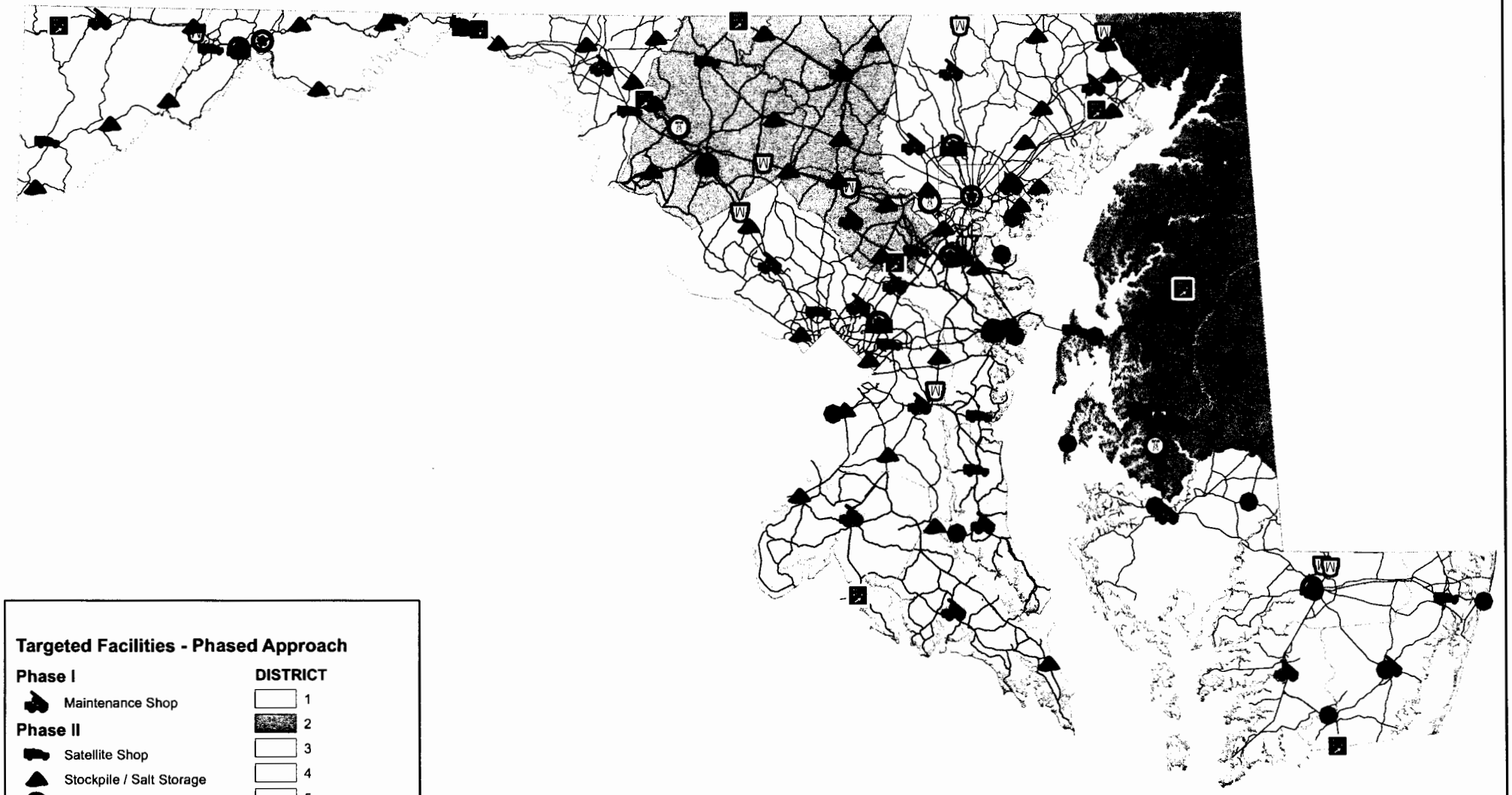


SHA
Driving to Excel
State Highway
Administration



Targeted Facilities - Phased Approach

Phase I
- Maintenance Shop

Phase II
- Satellite Shop
- Stockpile / Salt Storage
- Communications
- Movable Bridges
- Weigh Stations
- Administrative
- Rest & Welcome Areas

Phase III
- Laboratory

DISTRICT
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- SHA Roads

May 4, 2006

SHA

Draft March 20, 2006

SHA Proposal - Compliance Focused Environmental Management System Agreement

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Phased Approach:

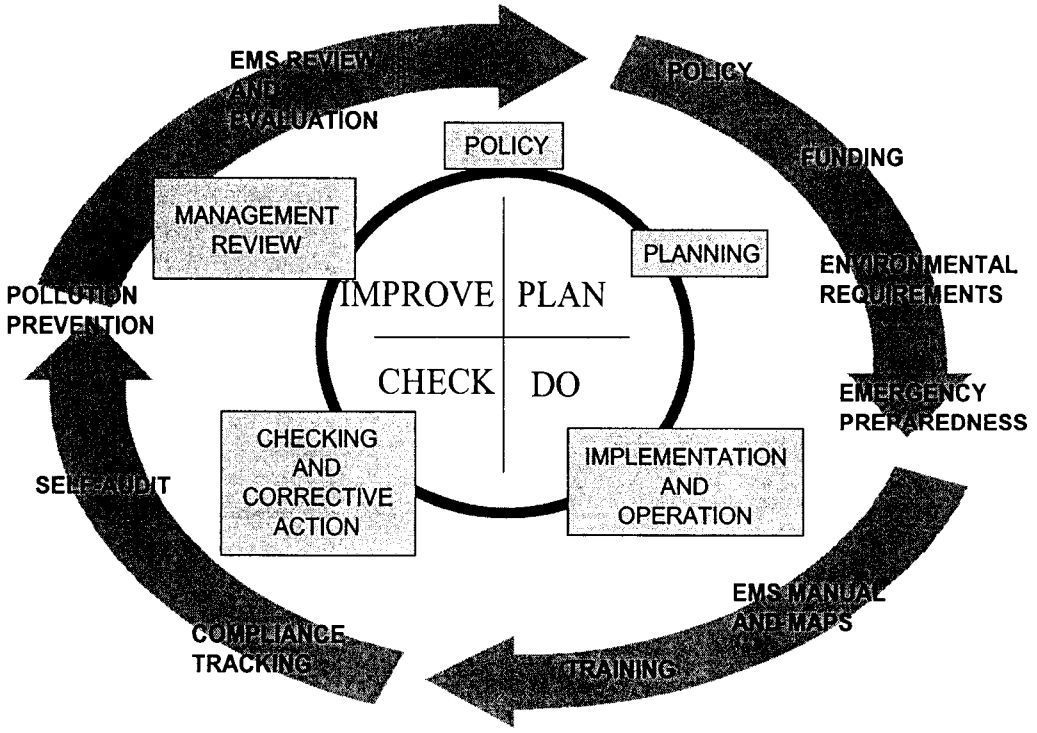
This proposal is a phased approach focusing on development and implementation of a Compliance Focused Environmental Management System (CFEMS) for SHA's facilities, including operations and maintenance activities. A compliance self-audit is incorporated within the CFEMS. The phased approach will be initiated with Maintenance Shops as a "Pilot" facility type, refining the program, and then expansion of the enhanced program to cover remaining facility types in a systematic manner.

This approach involves two concurrent elements:

(A) CFEMS development/implementation, and

(B) Compliance Actions (addressing any noncompliance issues identified during CFEMS implementation as part of Systematic Discovery).

Implementation of both elements concurrently is critical to ensuring sustainable compliance and enhancements.



A. CFEMS – Develop and Implement CFEMS

Stage	SHA Program Element	Corresponding EPA CFEMS Element
PLAN:	**Develop/Adopt Environmental Policy**	1
	Define SHA Operations Within Target Facilities	2
	Identify/Evaluate Existing Program Elements and Conduct Gap Assessment	
	Address Organizational/Personnel Issues	
	Establish Steering Team or Executive Committee	
	Define CFEMS Performance Measures	
DO:	**Develop Compliance Guide (Level 2 Doc)**	
	• Review/Summarize Regulations by Media	4
	• Identify Applicable Regulations for SHA Operations	4
	• Finalize List of Applicable Regulatory Requirements	4
	Develop CFEMS Manual (Level 1 Doc):	
	• Document Environmental Policy	1
	• Document CFEMS Organizational Structure	2
	• Document CFEMS Roles and Responsibilities	3
	• Document CFEMS Components (Programs and Processes)	
	– Environmental Requirements (Compliance Guide)	4
	– Environmental Processes/Controls/Response	5-6
	– Environmental Training and Awareness Programs	7
	– Planning and Decision-making Processes	8
	– Recordkeeping/Documentation Requirements	9
	– Pollution Prevention Processes	10
	– Program Enhancement Processes	11
	– Community Outreach Programs	12
	• Finalize Schedule/Budget for Implementation	
	Implement CFEMS Elements	
	• Develop CFEMS Data Management System (Tracking and Reporting)	9
	• Conduct Facility Environmental Inventory	4
	• Correct Non-Compliance Issues (See Element B)	6
	• Develop/Augment Environmental SOPs (Level 2 Docs)	5
	• Develop Facility Compliance Manuals (Level 3 Docs)	4
	• Develop/Augment Training Program (Level 4 Docs)	7
	• Conduct Training	7
	• Develop Self-Audit Program Manual (Level 2 Doc)	11
CHECK:	**Conduct Compliance Self-Audits**	11
	Corrective Action/Remediation of Noncompliance Issues (See Element B)	6, 11
	Conduct EMS Audit and Identify/Document Opportunities for CFEMS Enhancement	10 – 11
ACT	**Conduct Senior Management Review of CFEMS**	8, 11
	Develop and Implement CFEMS Enhancements	11 – 12
	Expand CFEMS to Other Facility Types and Operational Areas	11 – 12

B. CONCURRENT COMPLIANCE ACTIONS – During the development and implementation of the CFEMS any noncompliance issues will be addressed as they are identified through systematic and voluntary discovery.

The phased approach will expand from Maintenance Shops to other facility types listed below, and eventually will include roadside maintenance and winter operations.

SHA Facilities include:

28 - Primary Maintenance Shops
17 - Satellite Maintenance Shops
42 - Stockpile/Salt Storage Facilities
4 - Laboratories
11 - Weigh Stations
19 - Movable/Draw Bridges
11 - Welcome/Rest Centers

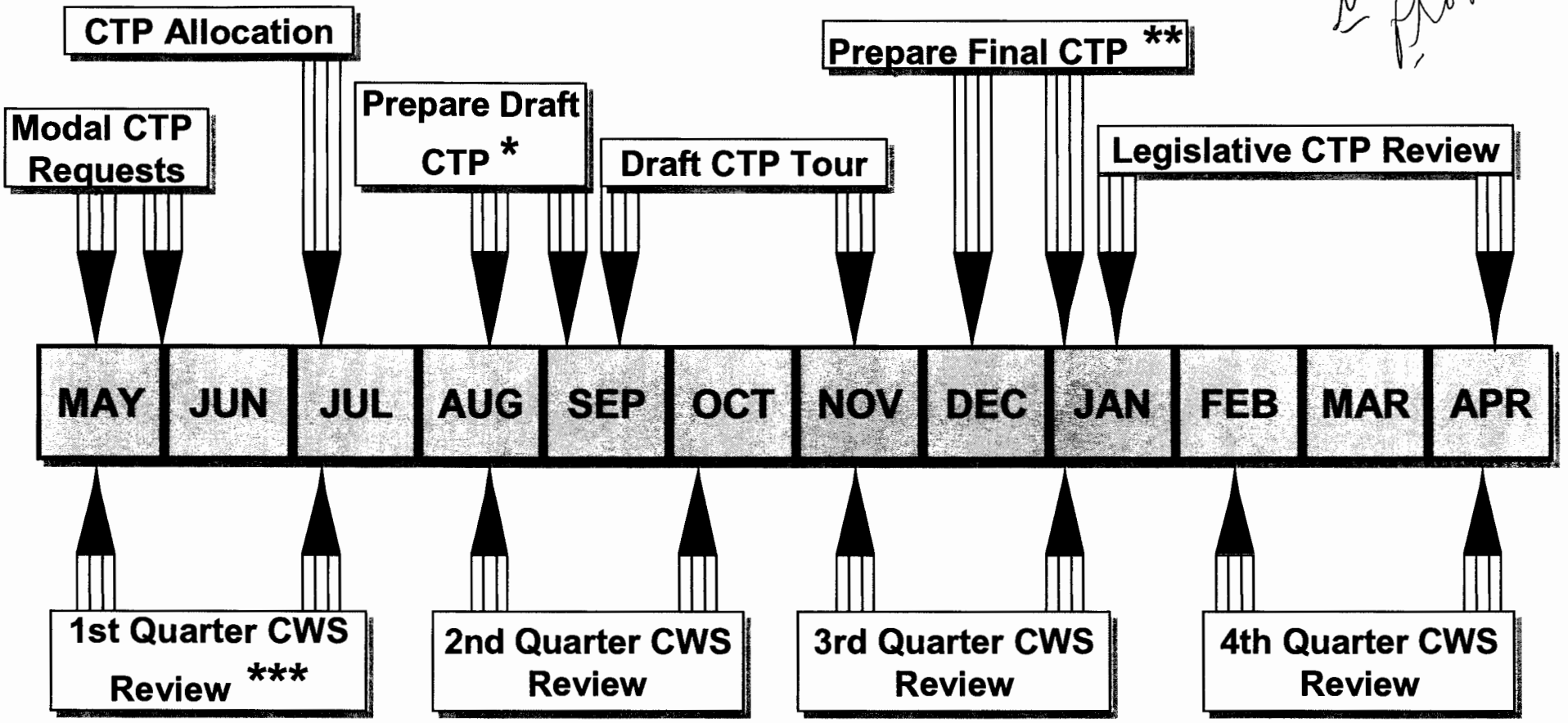
Pertinent operations at these facilities include fueling, vehicle maintenance, vehicle washing, vehicle painting, storage of petroleum products, waste, and other liquid chemicals in aboveground and underground storage tanks, stockpiling of salt and other dry materials, hazmat storage, and animal carcass disposal. SHA also manages a fleet of more than 1,500 pieces of heavy equipment.

Other operational areas to include:

Roadside Maintenance Operations along 16,600 lane miles of SHA roadways and 2,520 bridges.

Maryland Department of Transportation
Capital Program Process

Consolidated Transportation Program



* Draft CTP based on 1st Quarter Allocation

** Final CTP based on 3rd Quarter Allocation

*** Each CWS Review includes an update of Capital and Operating Budgets compared to a 6 Year Forecast to determine affordability.

THE MARYLAND TRANSPORTATION AUTHORITY

General

The Maryland Transportation Authority (the Authority) was established on July 1, 1971. Pursuant to the Enabling Legislation, the Authority is responsible for the construction, operation, maintenance and repair of certain revenue-producing transportation facilities projects. The primary mission of the Authority is to administer tolled highway facilities in Maryland.

Relationship of the Maryland Department of Transportation and the Authority

The Authority is not funded by the Maryland Department of Transportation's Trust Fund. It is funded entirely by the revenues produced by the Authority's facilities, and the bond revenues secured by those facilities. The Authority is authorized to issue revenue bonds -- that is, bonds secured solely by a stream of revenue and are not backed by the full faith and credit of the State of Maryland.

Acting on behalf of the Department, the Authority has various powers and duties relating to the supervision, financing, construction, operation, maintenance and repair of transportation facilities projects. In addition to its existing tolled highway facilities, the Authority may authorize the acquisition, financing, or construction of any other projects for transportation facilities, including parking, highway, airport, port, rail and transit facilities, as "transportation facilities projects." The Authority is empowered to finance the cost of transportation facilities projects by the issuance and sale of revenue bonds, notes, or other obligations.

Authority Membership

The Authority comprises the Maryland Secretary of Transportation, as Chairman, and six members appointed by the Governor of Maryland with the advice and consent of the Maryland Senate. The six members of the Authority are appointed for terms of three years, with the terms of two members expiring each year. The Authority acts by motions or resolutions that must be adopted by the affirmative vote of a majority of the appointed members of the Authority and concurred in by the Chairman.

The Authority meets once a month in a public meeting to approve Authority contracts and to review and determine policies affecting the operation and management of the facilities owned and operated by the Authority.

Organization of the Authority Staff

The Executive Secretary of the Authority is appointed by and reports directly to the Chairman and members of the Authority. The Executive Secretary is responsible for the overall operation, maintenance and coordination of the Authority's facilities.

The staff of the Authority is organized into three major units.

- **Business Services** - contains the Divisions Administration, Finance, Organizational Development, and Information Technology
- **Operations and Public Safety** - contains the Division of Operations, and Maryland Transportation Authority Police Force
- **Facilities Development** - contains the Divisions of Engineering, Strategic Development, Capital Planning, and Communications

TOLL FACILITIES OF THE AUTHORITY

There are seven existing toll facilities owned and operated by the Authority, and one new toll facility in development. The facilities are described below and on the attached map.

Governor Harry W. Nice Memorial Bridge (US 301) – This bridge was opened to traffic in 1940. It extends approximately two miles across the Potomac River from Charles County, Maryland, to Dahlgren, Virginia.

William Preston Lane, Jr. Memorial Bridge (US 50/US 301) - Also known as the "Chesapeake Bay Bridge", the first two-lane span opened to traffic in 1952. In 1973, the Authority opened a parallel, three-lane span of the Chesapeake Bay Bridge. The facility extends four miles across the Chesapeake Bay from a point near Annapolis, Maryland, to Stevensville, Maryland.

Baltimore Harbor Tunnel Thruway (I-895) - The thruway opened to traffic in 1957. It is a four-lane facility consisting of tunnels running underneath Baltimore Harbor and 17 miles of approach roads, connecting with Interstate Route I-95 both north and south of Baltimore, Maryland.

Francis Scott Key Memorial Bridge – This facility, part of the Baltimore Beltway (I-695), was opened to traffic in March 1977. The bridge is 1.4-miles long. The total length of the facility is 10.9 miles, extending from the Arundel Freeway in Anne Arundel County, Maryland, to the Patapsco Freeway in Baltimore County, Maryland.

John F. Kennedy Memorial Highway (I-95) - The John F. Kennedy Memorial Highway was opened to traffic in 1963. The 49.4-mile highway runs from the intersection of I-95 and I-895 at the northeast boundary of Baltimore City, Maryland, to the Maryland-Delaware border.

Fort McHenry Tunnel (I-95 and I-395) - The Fort McHenry Tunnel was dedicated on November 23, 1985. The Fort McHenry Tunnel is an eight-lane facility crossing beneath the Patapsco River in Baltimore, Maryland, linking Canton on the east side of Baltimore Harbor with Locust Point on the west side. The Fort McHenry Tunnel accommodates northbound and southbound through traffic on I-95 as well as traffic between downtown Baltimore and points north via I-395.

Thomas J. Hatem Memorial Bridge (US 40) - This four-lane facility, extends approximately five miles across the Susquehanna River between Havre de Grace, Maryland, and Perryville, Maryland. It was opened to traffic in 1940.

Inter-County Connector Project (not shown on map) - On February 24, 2004 by Resolution, the Authority authorized the acquisition and/or construction of the Inter-County Connector ("ICC"). The ICC is a proposed multi-modal east-west highway to link existing and planned development areas between the I-270 corridor in Montgomery County and the I-95/US 1 corridors in Prince George's County. The proposed ICC Project is currently being considered under the National Environmental Policy Act ("NEPA") process as a toll highway. The Authority and SHA are currently awaiting Federal Highway Administration issuance of a Record of Decision.

"NON-TOLL FACILITIES" OF THE AUTHORITY

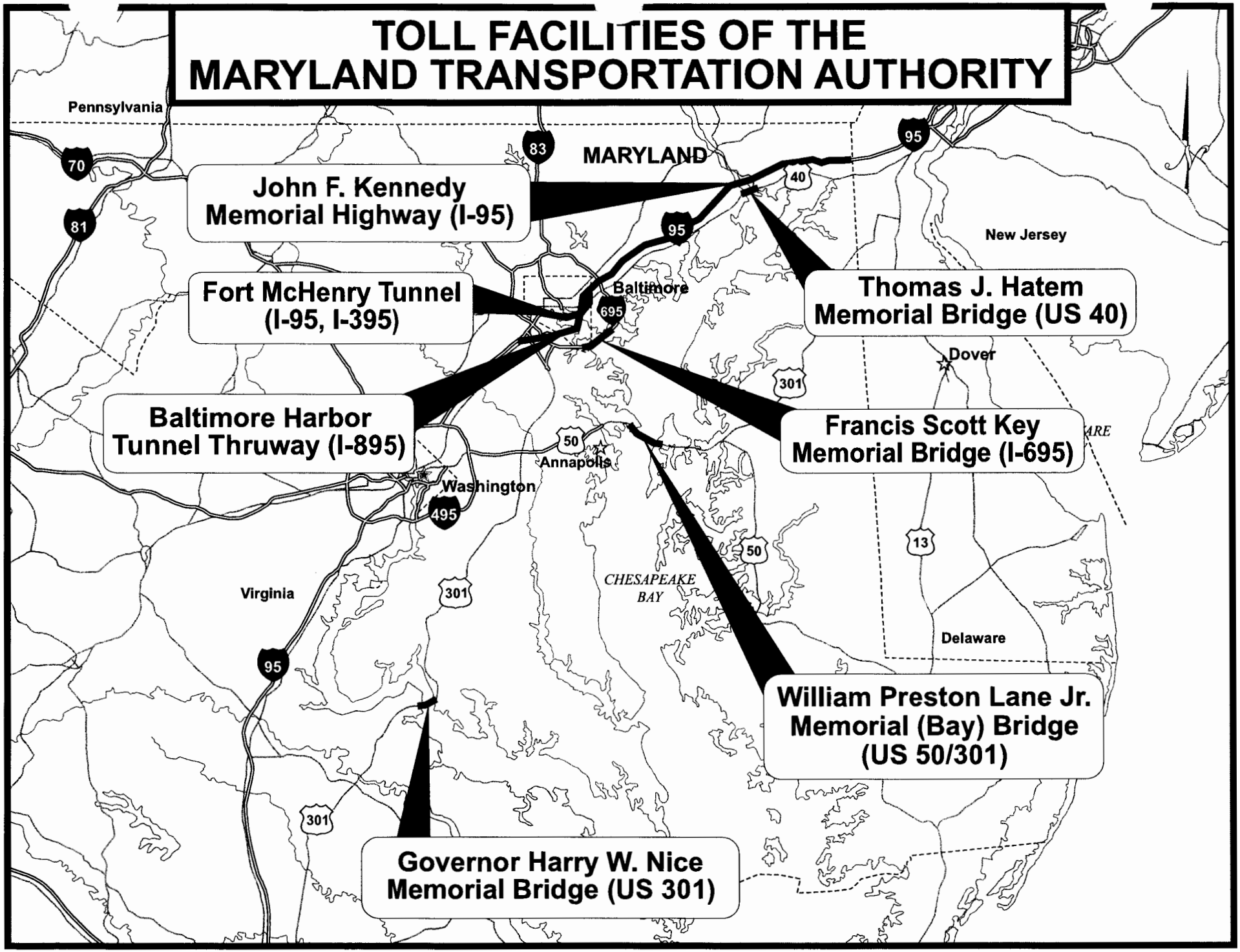
In addition to the tolled highway facilities, the Authority, from time, to time may own and operate other revenue-producing projects. Current projects are briefly described below.

Seagirt Marine Terminal – The Authority owns a containerized-cargo marine terminal with an adjacent Intermodal Container Transfer Facility rail yard (ICTF). The terminal has three berths served by seven state-of-the-art rubber tire gantry container cranes, including three double trolley cranes, an automated gate facility. The adjacent ICTF rail yard permits direct loading/unloading of containers between ship and rail transportation.

The Seagirt Marine Terminal and the adjacent ICTF are subject to an operating agreement between the Authority and the Maryland Port Administration (MPA), a modal unit of the Maryland Department of Transportation. As part of the operating agreement, MPA makes annual payments to the Authority.

Masonville Auto Terminal - Under a 1998 agreement with the MPA and the Maryland Department of Transportation, the Authority acquired a leasehold interest in, and agreed to finance the development of, the Masonville Auto Terminal, a 42.5-acre administrative/automobile processing facility located in Fairfield near the Baltimore Harbor Tunnel facility. The MPA agreed to act as the Authority's agent for the design, construction, management, and operation of the facility.

John F. Kennedy Memorial Highway Travel Plazas
The Authority owns and leases two service and concession areas along the John F. Kennedy Memorial Highway. The Maryland House is located in Harford County, and the Chesapeake House located in Cecil County. These facilities served over 4-million travelers in calendar year 2005.

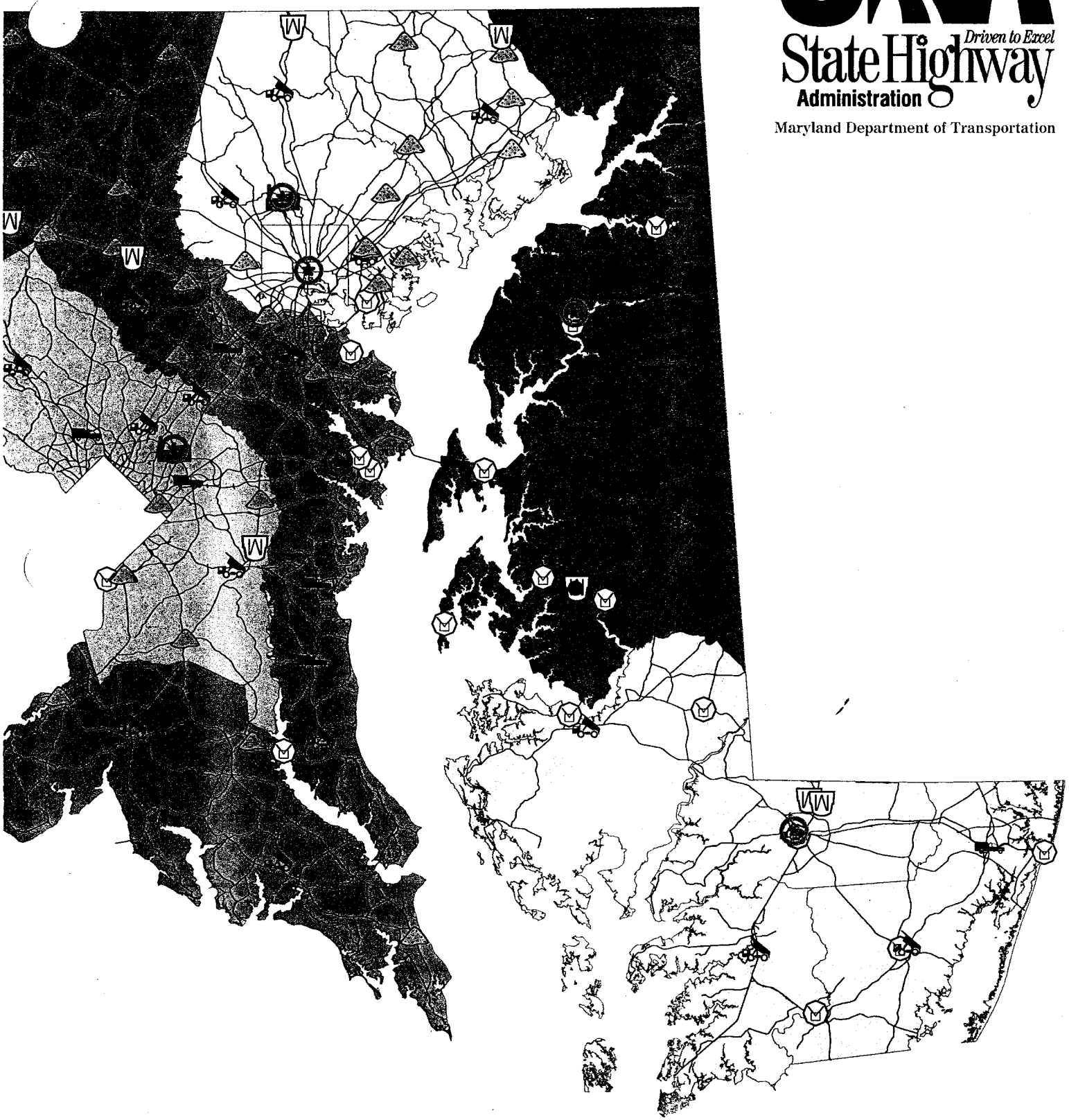

TOLL FACILITIES OF THE
MARYLAND TRANSPORTATION AUTHORITY
Pennsylvania
MARYLAND
New Jersey
Virginia
Delaware
Baltimore
Washington
Annapolis
Dover
CHESAPEAKE
BAY
John F. Kennedy
Memorial Highway (I-95)
Fort McHenry Tunnel
(I-95, I-395)
Baltimore Harbor
Tunnel Thruway (I-895)
Thomas J. Hatem
Memorial Bridge (US 40)
Francis Scott Key
Memorial Bridge (I-695)
William Preston Lane Jr.
Memorial (Bay) Bridge
(US 50/301)
Governor Harry W. Nice
Memorial Bridge (US 301)
70
81
83
95
40
695
301
50
495
13

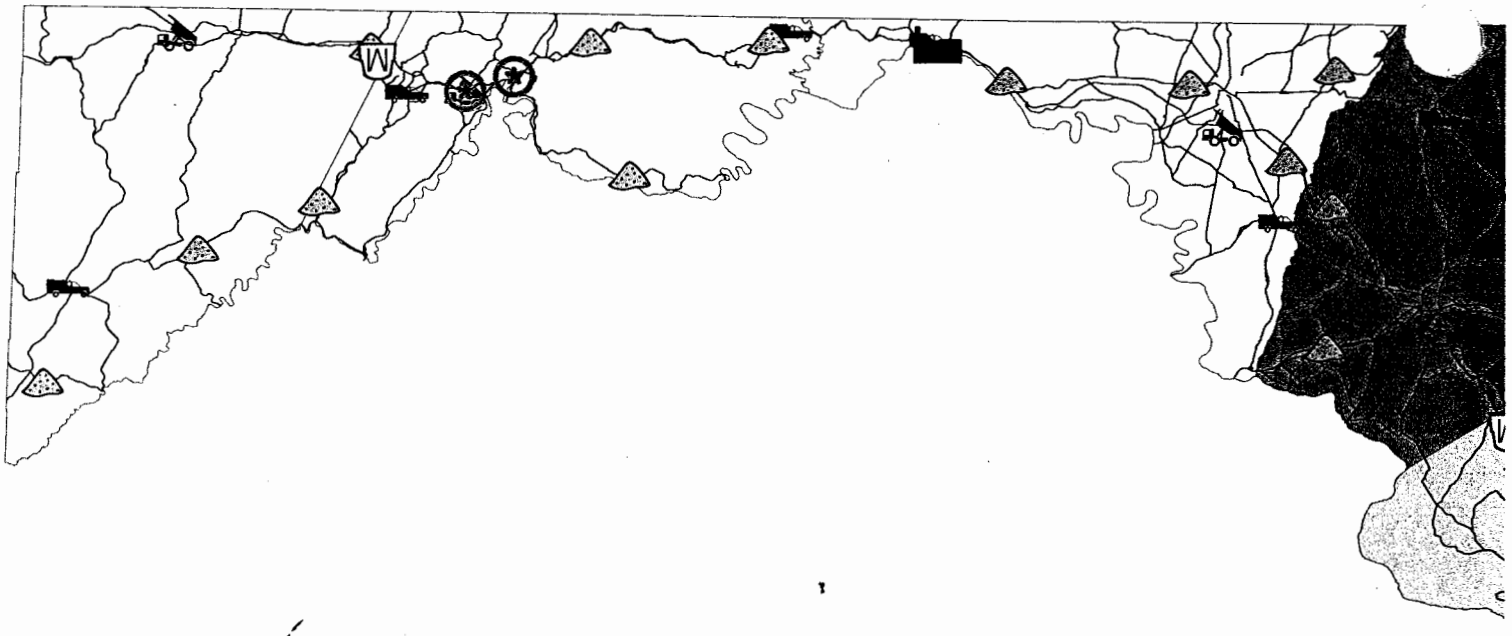
SHA

Driven to Excel

State Highway Administration

Maryland Department of Transportation





Legend

SHA Facilities

- Administrative
- Laboratory
- Maintenance Shop
- Satellite Shop
- Stockpile / Salt Storage
- Weigh Stations
- Movable Bidges
- SHA Roads

Districts

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- Counties

Draft 3/10/06

SELF-AUDIT/SELF-DISCLOSURE AGREEMENT BY AND BETWEEN MARYLAND DEPARTMENT OF TRANSPORTATION AND THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

I. INTRODUCTION

Environmental auditing plays a critical role in protecting human health and the environment by identifying, correcting, and ultimately preventing violations of environmental regulations; and

The Maryland Department of Transportation wants to obtain the benefits of the policy of the United States Environmental Protection Agency ("EPA") entitled "Incentives for Self-Policing: Discovery, Disclosure, Correction, and Prevention of Violations." See 65 Federal Register 19618 (April 11, 2000) (the "Policy"); and

To implement its own policies while obtaining the benefits of the Policy, MDOT is willing to conduct a self-audit for compliance with the regulations promulgated or authorized by the EPA set forth in Section III below, to disclose any and all violations found to the EPA and to correct said violations; and

The performance of the self-audit by MDOT, and the disclosure and correction of any and all regulatory violations, will implement the purpose of the Policy, which is to "enhance the protection of human health and the environment by encouraging regulated entities to voluntarily discover, disclose, correct and prevent violations of Federal environmental law." See 65 Fed. Reg. at 19618 (April 11, 2000); and

The performance of the self-audit by MDOT, and the disclosure and correction of any and all regulatory violations, will benefit the EPA by allowing EPA to more efficiently utilize its resources in obtaining regulatory compliance within its jurisdiction; and

To obtain the benefits of the performance by MDOT of its environmental compliance self-audit, and the disclosure and correction of any and all violations, the EPA is willing to enter into an agreement with MDOT, and

Accordingly, MDOT and the EPA agree as follows with the understanding that this Agreement (the "Agreement") is governed by the terms of the Policy, except to the extent that those terms are explicitly modified below.

II. SCHEDULE

A. Preparation of Audit (insert date).
B. Field Audit of MDOT Facilities (insert date).
C. Draft Reports to MDOT (insert date)
D. Final Reports to MDOT (insert date)
E. Findings Report to EPA (insert date).

III. SCOPE OF THE AUDIT

A. MDOT shall conduct a self-audit of its compliance with the regulations cited below in subsections 1 - 7 of Section III.B. The self-audit will encompass all facilities, including associated off-site facilities that are owned and/or operated by MDOT except those facilities administered by the Maryland Transit Administration. For each facility, the audit will include an evaluation of each facility's operating practices and procedures and evaluate recycling and pollution prevention opportunities.

B. Under the Audit Program, MDOT will audit compliance with the following federal and state regulatory programs:

1. Clean Air Act: Standards of Performance for New Stationary Sources (40 C.F.R. Part 60); National Emission Standards for Hazardous Air Pollutants (40 C.F.R. Part 61); National Emission Standards for Hazardous Air Pollutants for Source Categories (40 C.F.R. Part 63); Mobile Sources 40 C.F.R. Part 85, Chemical Accident Prevention Provisions (40 C.F.R. Part 68); Title V Permits; Protection of Stratospheric Ozone (40 C.F.R. Part 82); Maryland State Implementation Plan, including New Source Review Regulations (40 C.F.R 52.1070 (Subpart V), COMAR 26.11.01 et seq.

2. Clean Water Act: Spill Prevention, Control, and Countermeasures (40 C.F.R. Part 112); The National Pollutant Discharge Elimination System Permits including storm water management (40 C.F.R. Part 122)); General Pretreatment Regulations (40 C.F.R. Part 403). Permits for dredged or fill material, Section 404 of the Clean Water Act, 33 U.S.C. § 1344, 40 C.F.R. Part 232

3. Safe Drinking Water Act: National Primary and Secondary Drinking Water Regulations (40 C.F.R. Part 141 and 143).

4. Federal Insecticide, Fungicide and Rodenticide Act: Worker Protection Standard (40 C.F.R. Part 170); Experimental Use Permits (40 C.F.R. Part 172).

5. Resource Conservation and Recovery Act: The provisions of

Maryland's hazardous waste management program, set forth at COMAR Title 26 Subtitle 13 et seq. and the provisions of Maryland's Underground Storage Tank program, set forth at COMAR TiTle 256 Subtitle 10 et seq. (Hazardous Waste Management System, Used Oil Handling, Underground Storage Tanks (40 C.F.R. Parts 260-266, 268, 273, 279, 280).

6. Comprehensive Environmental Response, Compensation and Liability Act and Emergency Planning, and Community Right-to-Know Act: Designation, Reportable Quantities, and Notification (40 C.F.R. Part 302); Emergency Planning and Notification (40 C.F.R Part 355); Hazardous Chemical Reporting: Community Right-to-Know (40 C.F.R Part 370); Toxic Chemical Release Reporting: Community Right-to-Know (40 C.F.R Part 372).

7. Toxic Substances Control Act: Pre-manufacture Notification (40 C.F.R Part 720); Lead-Based Paint Poisoning Prevention (40 C.F.R Part 745); Polychlorinated Biphenyls ("PCBs") Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions; (40 C.F.R Part 761); Asbestos (40 C.F.R Part 763).

IV. DISCLOSURE

MDOT will disclose to the EPA any and all regulatory violations discovered during the self-audit within 21 days of the receipt of the final audit report, in accordance with the Policy, in a written disclosure report.

V. CORRECTIVE ACTION

MDOT shall correct each violation identified during the self-audit, and shall take steps necessary to prevent the recurrence of each such violation. Wherever possible, MDOT shall correct any violations identified during the self-audit within sixty (60) days of discovery. In those instances in which MDOT is unable to correct an identified violation which has been disclosed to EPA within the twenty-one (21) day deadline, it shall request an extension of time from the EPA in writing and provide an abatement schedule, accompanied by a justification of the requested extension. Any extension of the abatement period shall be subject to EPA approval. Such approval shall not be unreasonably withheld.

VI. TERMINATION

Once the corrective action designed to correct a particular violation has been completed, and a report has been submitted to the EPA notifying EPA of the completion of the corrective action taken, the date of completion, and the actions taken to prevent recurrence and to conform to the Policy, no further reporting on that violation, or the status of corrective action, is required. On the sixtieth (60) day after submittal of the last disclosure report from MDOT, this Agreement shall terminate for all purposes, except that MDOT shall remain obligated to complete the corrective action necessary to correct any disclosed violation. In the event

that MDOT files a disclosure report, but discovers an omitted item not discovered during the self-audit process, MDOT shall be permitted to disclose such item, correct it and obtain the benefits of this Agreement so long as this agreement is in existence.

VII. CIVIL PENALTIES FOR DISCLOSED VIOLATIONS

Except as provided in Section II.D.8 of the Policy, the EPA will not impose gravity-based penalties for violations discovered if such violations are timely disclosed and corrected, and provided that the applicable provisions of the Policy and this Agreement are met. The EPA will consider the most appropriate methods for coming into compliance when calculating potential economic benefit penalties for any disclosed violations, provided that such methods comply with regulatory requirements. Violations not disclosed and corrected, whether or not discovered in the self-audit or otherwise, are not covered by this Agreement and MDOT will not receive the benefits of the Policy for such violations.

VIII. COMPLIANCE INSPECTIONS

Nothing in this Agreement shall limit the authority of EPA to conduct any inspections or information gathering under applicable Federal Law. Any civil violation discovered in a facility or unit within the scope of the self-audit, which was scheduled to be audited subsequent to such discovery, shall be treated as a disclosure by MDOT and resolved under the terms of the Policy and this Agreement.

IX. MISCELLANEOUS PROVISIONS

A. Notification and Certification of Disclosure Reports: MDOT designates following person(s) as responsible official(s) for submitting disclosure reports to the EPA Region 3. "Responsible official" as used herein shall mean a person who is authorized to bind MDOT.

PLACE AN MDOT DESIGNATION, NAME ,ADDRESS AND PHONE & FAX NUMBER HERE

The responsible official shall certify that each disclosure report submitted to the Region is true, accurate and complete in the form set forth in 40 C.F.R. §270.11(d).

MDOT designates as their "contact person(s)," to be the recipient of all communications from the EPA concerning this Agreement, the following individuals:

PLACE AN MDOT DESIGNATION, NAME ,ADDRESS AND PHONE & FAX NUMBER HERE

The EPA designates the following individual as its contact person:

Joyce A. Howell
U.S. Environmental Protection Agency
Mid-Atlantic Region (Region III)
Office of Enforcement,
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The parties may re-designate their contact person and responsible official in writing.

B. Compliance With Law and Regulation: Neither the existence of this Agreement, nor compliance with this Agreement relieves MDOT of its obligation of continued compliance with the regulations covered by this Agreement, and all other federal, state and local laws and regulations.

C. Reservation of Rights: The EPA reserves its rights to proceed against the MDOT for all violations outside the scope of the self-audit, and violations within the scope of the self-audit that were not timely reported or timely corrected. EPA reserves the right to commence an action against any person, including MDOT, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This Agreement is not intended, and shall not be construed, to resolve any claim for criminal sanctions now pending or sought in the future, and shall not limit the right of the United States to pursue criminal sanctions for violation of law.

D. Authority of Signatories: The signatories hereto represent that they have the authority to bind the parties.

E. Modification: This Agreement may be modified by a writing signed by all parties.

WE, THE UNDERSIGNED, HEREBY AGREE TO BE BOUND BY THIS AGREEMENT:

For the MARYLAND DEPARTMENT OF TRANSPORTATION:

_____ DATE: _____

Draft 3/10/06

For EPA:

_____ DATE: _____

Donald S. Welsh
Regional Administrator
U.S. Environmental Protection Agency- Region III
1650 Arch Street
Philadelphia, PA 19103-2029

For EPA:

_____ DATE: _____

Samantha Phillips, Director
Office of Enforcement, Compliance
and Environmental Justice
U.S. Environmental Protection Agency- Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Draft 3/10/06

Appendix A

SCOPE OF AUDIT PROGRAM

The following list provides the activities, areas, and/or shops that the review of the MDOT will cover to the extent that these facilities and operations are present.. This list is not meant to be all-inclusive.

Documents to Review (for the three years prior to the self-audit)

- Verify EPA identification numbers and generator status
- Hazardous waste manifests, Universal Waste Bills of Lading
- Training records
- Land disposal restriction notifications
- Exception reports
- Lead disclosure statements in leases, or associated with leases of residential housing let by MDOT in its capacity as a lessor, as defined in 40 C.F.R. § 745.103
- Required certifications
- Required reports
    - Emissions monitoring reports for any onsite air pollution control equipment
    - SARA abatement or removal reports
    - Asbestos abatement or removal reports
    - Closure reports or sampling data for any underground storage tank removals
    - Environmental incident reports
    - Health and safety monitoring reports
- Requires plans and programs (only the current plan will be reviewed)
    - Spill preventions, control and countermeasure plans
    - Hazardous waste management program and spill contingency plan
    - Emergency Response Plan
    - SWPP plans and associated sampling results
- Required permits
    - Copies of all air and water permits, currently in place at the institution; including a copy of the Title V permit (or application if a major source or the operating permits)
    - NPDES permits and sampling reports or water discharge permits issues
    - Recycling permits
    - Air Pollutant Source Registration lists
- Analytical tests, monitoring reports, surveys and studies
    - Existing studies (impact studies, previous environmental audits, waste characterization and minimization studies, water and energy reduction studies, asbestos surveys)
    - Test results from any lead paint sampling activities
    - Previous environmental assessment reports
    - Test results from drinking water sampling activities
    - PCB test data or removal documentation for any transformers, capacitors,

hydraulic systems (including elevators, floor lifts, etc. ...)
  - Monitoring results for wastewater and air emissions, including sampling and analysis protocols
  - Analytical data from any waste characterization sampling
  - Tightness test reports for any active underground storage tanks (most recent results)
  - SPCC inspection logs

Additional Documents to Review

- Copies of any Administrative orders, Notices of Violation and Consent Agreements or consent Decrees from any local, state or federal agency from the last 10 years
- EH&S manual
- Detailed list of known Satellite Accumulation Areas
- List of non-contiguous properties owned or leased by the institution an its function within the institution
- An organization charge for the institution and for the EHS department
- Site layout plan(s) if available, or any lists associated with any of the issues noted below-principal chemical and hazardous waste storage areas, underground storage tank locations, above ground storage tanks, elevators, generators, transformer pads and vaults, storm and sewer draining networks and on site pumping wells locations
- Latest chemical inventory and access to Material Safety Data Sheets (MSDS) list of chemicals currently used or stored on site
- Environmental capital expenditure plans (3 to 5 years)
- List of solid waste materials generated and disposal methods used
- List of septic tanks, sumps oil water separators
- List of storage tanks (underground and aboveground), size and contents
- Sources of water discharges, list of contact and non-contact cooling waters
- Available subsurface information
- Pesticide use info

Facilities Operation and Maintenance

- Air conditioning/refrigeration service
- Appliance and equipment repair, including medical equipment
- Athletic facilities, maintenance and management (including, but not limited to ice rinks, swimming pools, fields, gymnasiums, rifle ranges)
- Building cleaning and maintenance
- Building renovation and construction
- Cafeteria/Food Service Areas
- Chemical storage areas
- Distillation units
- Fabrication shops
- Heating and power plants (e.g., boilers, emergency generators)
- House or architectural structure painting
- Janitorial closets

- Landscaping operations
- Laundry
- PCB transformers and switches
- Pesticide storage facilities
- Solid waste management areas, rubbish trucks and trucking operations

Fleet Maintenance

- Automotive, truck, and ambulance servicing areas
- Garages

Hazardous Waste / Tanks / Wells

- Aboveground and current operating underground storage tanks and their containment areas/systems, and documentation concerning closures of regulated tanks previously removed from service.
- Dry wells, septic systems, cesspools, floor drains, sink drains, and disposal wells.
- Hazardous waste satellite accumulation areas.
- Hazardous waste storage areas.
- Tanks that have been permanently or temporarily closed.
- Transformers and oil-containing electrical equipment (PCB and non-PCB).
- Universal waste storage areas.

Use and Disposal of Known Chemicals/Products of Concern

- Computers/monitors, circuit boards, and other lead-bearing electronics
- Ethanol and formaldehyde/ethanol solutions
- Fluorescent light bulbs and other types of lamps, including high-intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps
- Formaldehyde/Formalin
- Laboratory chemicals and waste products
- Mercury and Mercury-containing devices and products
- PVC-containing devices
- Xylene
- Batteries
- Solvents
- Photographic chemicals and scrap film
- Pesticides

Other Services

- Animal care areas
- Destructive testing laboratories
- Pilot plants and reduced-scale engineering facilities